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OF THE  
THIRTEENTH CENTURY

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## PREFACE

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This volume incorporates my first essays at historical research. In 1933-4, under the supervision of Professor F. M. Powicke, I examined and edited in part the Durham Dean and Chapter MSS. Misc. 5712 and Loc. iii, 40, as a B.Litt. thesis. From the beginning I hoped that I might have the honour of contributing a volume to the Surtees Society Publications, but, whenever I thought myself free to recast and complete my work, some impediment arose, and it was not until Christmas 1939 that I could inform Dr. Hamilton Thompson that the task was completed. Yet no editor can feel that his work is really finished until the last proofs have been corrected, and the impact of the war, with its destruction of mental tranquillity and its diversion of interest to affairs which appear more immediate, may prove to have been a more formidable obstacle to the attainment of that standard of scholarship which I had as an ideal than the lack of continuity from which the editing had already suffered. But if the later stages of the work have been attended too often by frustration, the earlier were conducted in the happiest circumstances. It was a privilege to have the guidance of Professor Powicke; and then my visit to Durham in 1933 was most delightful: everyone I met was helpful and kind, and if I mention only Professor D. W. Thomas, Mr. B. Colgrave, and the late Mr. K. C. Bayley, the Clerk to the Chapter, it is not because I am not grateful to all who encouraged a young scholar. I should also like to thank the Dean and Chapter of Durham, who have always

obliged me most generously. Besides giving me facilities for working in the College, they have on three occasions deposited MSS. for me elsewhere.

The printing of a work such as this in wartime is exceptionally difficult. The collection of the subject notes at the end of the volume instead of their appearance on the appropriate page is a most regrettable but unavoidable alteration of the original plan. My greatest obligation is to Dr. A. Hamilton Thompson, who has helped me to see this book through the Press, who has borne patiently with a soldier's irritation at modifications made necessary by the war, and who has at all times given me the benefit of his ripe scholarship.

5, GUILFORD STREET,  
LONDON, W.C.1.

13TH JUNE, 1940.

## List of Principal Abbreviations used in the Introduction and Notes

- 
- Cal. Close* .. *Close Rolls and Calendar of the Close Rolls preserved in the P.R.O.* (prepared under the superintendence of the deputy keeper of the records), 1905 *seqq.*
- Cal. Pap.* .. *Calendar of entries in the papal registers relating to Great Britain and Ireland*, ed. W. H. Bliss, etc. (published by the authority of the lords commissioners of her Majesty's treasury under the direction of the Master of the Rolls), 1893 *seqq.*
- Cal. Pat.* .. *Patent Rolls and Calendar of the Patent Rolls*, etc. [as *Cal. Close*], 1906 *seqq.*
- D.N.B.* .. *Dictionary of National Biography.*
- F.D.* .. *Fasti Dunelmenses*, ed. D. S. Boutflower (with additions by A. Hamilton Thompson) (Surtees Society, vol. 139).
- F.P.D.* .. *Feodarium prioratus Dunelmensis*, ed. Wm. Greenwell (Surtees Soc., vol. 58).
- History of Northumberland* .. *A history of Northumberland issued under the direction of the Northumberland county history committee*, 14 vols., 1893 *seqq.*
- Hutchinson* .. Wm. Hutchinson, *The history and antiquities of the county palatine of Durham*, 1785-94.
- Le Neve* .. *Fasti ecclesiae Anglicanae*, compiled by John le Neve, ed. T. Dufius Hardy, 1854.
- North Durham* .. Jas. Raine, *The history and antiquities of North Durham*, 1852.
- Placitum* .. *Placitum inper dominum Willelmum Whikewam, archiepiscopum Ebor', et porivrem et capitulum Dunelm' super obediencia et visitacione faciendis*, in MS. British Museum, Cotton Coll., Julius D. iv, ff. 124 *seqq.*
- Reg. Corbridge* .. *Register of Thomas Corbridge, lord archbishop of York. 1300-1304*, prepared by Wm. Brown, edited by A. Hamilton Thompson (Surtees Soc., vols. 138 and 141).
- Reg. Giffard* .. *The register of Walter Giffard, lord archbishop of York*, ed. Wm. Brown (Surtees Soc., vol. 109).
- Reg. Gray* .. *The register of Walter Gray, lord archbishop of York*, ed. Jas. Raine (Surtees Soc., vol. 56).
- Reg. Romeyn* .. *The register of John le Romeyn, lord archbishop of York*, ed. Wm. Brown (Surtees Soc., vols. 123 and 128).
- Reg. Wickwane* .. *The register of Wm. Wickwane, lord archbishop of York*, ed. Wm. Brown (Surtees Soc., vol. 114).
- Rot. Ric. Gravesend* .. *Rotuli Ricardi Gravesend, diocesis Lincolniensis*, ed. F. N. Davis, with additions by C. W. Foster and A. Hamilton Thomspon (Canterbury and York Society), 1915-25.
- Script. Tres.* .. *Historiae Dunelmensis Scriptores tres*, ed. Jas. Raine (Surtees Soc., vol. 9)..
- Surtees* .. Rt. Surtees, *The history and antiquities of the county palatine of Durham*, 1816-40.
- The priory of Coldingham* .. *The correspondence . . . of the prior of Coldingham* ed. Jas. Raine (Surtees Soc., vol. 12).
- V.C.H.* .. *Victoria County History.*



# INTRODUCTION

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## I. DURHAM HISTORICAL LITERATURE.

In this volume are printed Durham annals of the late thirteenth century and a collection of documents taken from three Durham formularies. The annals run from 1207 to 1286, but are at their fullest from 1272 onwards, and the documents come mainly from the first priorate of Hugh de Derlington, 1258-1272; so that less than half a century of the history of Durham convent is fully covered. For that period the volume can be regarded as an appendix to James Raine's *Scriptores Tres*.<sup>1</sup> Our annals were used by Graystones as a source for his history, and our documents amplify Raine's appendix. In one way, however, this volume differs profoundly from the *Scriptores Tres*. Its contents are almost homogeneous. Both the annals and the formularies spring from that interest in law and administration which is so characteristic of the convent at this period, and, however much they may differ superficially in form, they are only different methods of using documents, and these differences often tend to become indistinct.

Bishop Stubbs wrote, 'Of the several schools of English Mediaeval History, the most ancient, the most fertile, the longest lived, and the most widely spread was the Northumbrian.'<sup>2</sup> But at Durham itself the thirteenth century was one of its most barren periods. After Symeon and his continuators there is little history worthy of the name until Graystones restored some life into a dying tradition.

The effects of the Norman Conquest were insidious but decisive. Durham slowly ceased to be the centre of a Northern culture, and became an outpost of the Latin world. The life of the monastery became more introspective. Durham historians no longer illuminate the history of Northumbria; yet this is a period most plentifully illustrated by documents. Volumes could be printed from the convent's archives. These

<sup>1</sup> *Historiae Dunelmensis scriptores tres*, Surtees Soc., vol. 9 (1859).

<sup>2</sup> *Chronica magistri Rogeri de Houedene* (Rolls Ser., 1868), i, ix.



facts are probably not unconnected. It is an infinitely harder task to base narrative on documents than on tradition, hearsay and older prose accounts. This has been seen in modern historians. A greater mastery of expression is required, a firmer sense of values and a wider imagination. When these qualities were available such a work as Matthew Paris's *Chronica Majora* could be produced; when absent, the rather jejune and unliterary annals such as are printed here.

Not only the shrinking of the horizon and the greater difficulties of the task, but a change of interest is also responsible for the barrenness of the historical literature. The thirteenth century is famous for its law and its lawyers. The convent of Durham was litigious to a degree that would have delighted the profession in any age. With a bishop who was more than a bishop, a monastery of great power and tradition, and a metropolitan of exceptional weakness, there were fruitful opportunities for discord. And the softening of manners favoured the convent. Anthony Bek could still attempt the use of soldiery against his monks, but it was no longer in fashion, and the attorneys of the convent might well be as acute as those of the bishop. Canon law was reaching its most flourishing period, and the political state of England offered the greatest freedom of action. To the cloistered monk litigation offered a new excitement. He had the thrust and parry in a bloodless battle, and the delight of over-drawn subtlety and of endless prevarication. He had moreover the opportunity of frequent absences. And this change of interest is naturally reflected in the historical memorials. In the twelfth century bishops and monastic houses had striven to gather a court which excelled as a humanistic centre, and hence its literature is the glory of the Middle Ages. In the thirteenth century interest lay in collecting the best proctors and attorneys, and so cartularies and formularies, registers and law reports become its most characteristic literary production.

Documents can be edited in many ways and for different purposes. The convent of Durham required their recording mainly for two purposes: as a guide to historical precedent, and as a guide to diplomatic precedent. The stranger bishops of Durham were continually outraging the traditions of the convent. The great quarrel with York started on the pretext of a word omitted from a letter of presentation. Old men have memories, on which even popes could base their acts, but the written precedent is more cogent. Moreover, technical objec-

tions were given great weight in the courts, and no nicety in the drawing up of a document was superfluous.

A good register could serve both these purposes. We shall discuss later whether the convent kept a register at this time;<sup>1</sup> but, even if it did, the mediaeval register always had the drawback of incompleteness. No mediaeval chancery could record the mass of documents with which it dealt. Nor is it likely that the daily thumbing of a register for letter forms would be encouraged. Hence memorials on selected points, and collections for specialized purposes might still be advisable. It is with such products that we are dealing here. On one hand we have short chronicles dealing almost entirely with important legal points, and, on the other, formularies, the purpose of which was to provide the convent with a suitable pattern for any document it had to issue. The formulary, then, is for routinal use, and the historical details can advantageously be suppressed. But when the routinal form is challenged, the chronicle with its historical data is required, and it is inferior only to the actual document as a record of precedent, while superior to the register in providing in addition to the documents an exposition of the case.

## 2. THE ANNALS.

The annals printed here are found in a late thirteenth century MS., British Museum, Cotton collection, Julius D. iv. The codex is a volume of 184 folios, 187 by 135 mm. A fifteenth century hand (the familiar 'third hand') gives the contents of the volume on fo. 124v.:

Contenta huius libelli sunt hec:

Placitum inter dominum Willelmum Whikewam, archiepiscopum Ebor', et priorem et capitulum Dunelm' super obediencia et visitacione faciendis.

Cronica Bruti. Diuisio Anglorum in septem regna.

Cronica regum Anglie post Conquestum.

Cronica de fundacione ecclesie Dunelm' et de eius episcopis et prioribus.

The Brut Chronicle occupies the first forty-eight folios. *Incipit*, 'Britannia Insula a Britone filio Isioconis filii Alani de genere Japhedi.' *Excipit*, 'et eam digne nomine belli uocauit.' The text, written with twenty-six lines to the page, takes up 135 by 75 mm., and there is a large margin on one

<sup>1</sup> Below, p.

side and at the foot. It is in this space that the *Cronica de fundacione ecclesie Dunelm*, etc., which has been discussed and printed by Dr. Craster,<sup>1</sup> is written.

On fo. 48 begins the *Cronica regum Anglie post Conquestum* with '[A]duentus Normanorum in Angliam . . .'. The space left for an illuminated letter has not been filled. The text occupies 130 by 100 mm., and has thirty lines to the page. It is composed in the form of annals, and the dates are given in the margin. At first these are rubricated; later alternate dates are rubricated, and finally the rubrication ceases. After fo. 82, when the narrative has expanded into an exclusively Durham chronicle, the marginal dates become rare. The chronicle ends on fo. 118v. These 118 folios are written in one hand, which cannot be earlier than 1286, but does not appear to be much later. A rubricator has decorated capitals and other suitable letters with strokes of red.

The next five folios are filled with miscellaneous historical material. On fo. 119 and its *verso*, in a new and bad hand, is an account of King Edward's activities in Scotland in 1292. This is repeated verbatim in another hand on the next folio, probably because the first example is so execrably written. Short annals for the years 1306-9 are written on fo. 121 and its *verso*, possibly in the same hand, and on ff. 122-4 are even briefer annals for the years 1274-1328 in a hand (the 'second hand') which is responsible for occasional entries inserted in the *Cronica regum Anglie post Conquestum*.

The rest of the volume is occupied by the *Placitum inter dominum Willelmum Whikewam*, etc. This part of the MS. is quite distinct, and has a ? fifteenth-century foliation running from 1-62,<sup>2</sup> and traces of a distinct series of signatures. It is composed of six gatherings of unequal size, and at least three hands can be distinguished: (1) the first and second gatherings; (2) the third, fourth and fifth, and (3) the sixth. Each of these groups also corresponds to a subject division. The sections have not been bound up in chronological order, for the sixth gathering should fall between the second and third. The outside leaves of the fourth gathering also have been misplaced, and now form the outside leaves of the fifth gathering. There is, however, no disturbance in the early foliation. The script is usually small and tightly packed, and all the hands seem of the close of the thirteenth century.

<sup>1</sup> 'The red book of Durham,' *E. H. R.*, vol. 40 (1925).

<sup>2</sup> Fo. 44, which should lie between ff. 166-7 of the modern numeration, has disappeared.



Throughout the volume occur editorial inscriptions in a fifteenth-century hand, which we call 'the third.' There is a modern foliation in pencil.

The *Cronica regum Anglie post Conquestum*, from which the annals printed here are taken, is a very composite production. It falls into two clearly distinguishable parts, of which the second can again be divided. The title only applies strictly to the first part of the compilation, but we will use it for the whole.

The first part of the chronicle consists of a short and spasmodic account of the actions of the kings of England from the Conquest until 1201, with a certain admixture of Northern and Durham affairs, in the form of extracts of various lengths from other chronicles. The events of these 135 years are contained in twenty-four folios, and, as many of the excerpts are short, and may often be paraphrases, it is not always possible to determine their provenance with precision. Symeon of Durham is the source for several passages, and later there is a growing dependence on Roger of Howden. The period 1154-80 is treated very scantily, and only occupies two pages, which presents an analogy with Walter of Coventry, who did not know the earlier parts of Howden's chronicle; yet passages under the years 1136, 1137 and 1138 have been taken directly from the northern chronicler, and reproduce some of his characteristic readings. From the year 1181, however, the chronicle consists almost entirely of passages excerpted from Howden, often copied verbatim, and including some that occur in him alone.

The second part is that which runs from the year 1202, when Howden finishes, to 1272, and occupies ten folios. It takes the form of brief Durham annals. The text is still made up of notices of varying lengths and of varying intensity of detail, but the material is extremely scanty. The years 1202-1206 have no entries at all, and many lines are left blank in the manuscript. But it has become a Durham chronicle. Only occasional notices of events of great importance in the outside world occur, and even these are frequently inaccurate, and usually misdated. A few have been inserted in the 'second hand,' which is responsible for short annals which appear later in the manuscript. The Durham material in this portion is miscellaneous. Some entries are straightforward notices of events; but it does not appear that contemporary annals have been incorporated. Most of the notices are paraphrases of, or

founded on documents. Three entries occupy half the space. The first is an account of the 1237-1240 vacancy in the bishopric; the second describes the resignation of Prior Bertram in 1258, and consists mostly of documents, and the third, also with documents, is concerned with the process against the ex-prior Bertram in 1266.

This episodic character is seen in a more extreme form in the third part of the chronicle. On fo. 82 the annals cease, or rather, perhaps, take on such a dropsical form, that they can hardly be called annals, for the last thirty-six folios are occupied by four distinct pieces. Each of these deals intensively with an event of legal importance, and each is composed largely of documents. The first of these episodes is devoted to the resignation of Prior Hugh de Derlington and the election of his successor in 1272/3, and occupies thirteen folios. The second records the convent's participation in the second council of Lyons, 1274, and its election of a bishop when Robert Stichill died on the return from the council. This takes up five folios. The third, of the same length, deals with the election of Anthony Bek to the bishopric in 1283, and the fourth, occupying twelve folios, is an account of the resignation of Prior Richard de Claxton and of the second election of Hugh de Derlington in 1285/6.

The first two of these pieces occur elsewhere as independent short chronicles. The first is written on the *recto* of the last six membranes of a Durham roll, Dean and Chapter muniments, Misc. 5712, and the second on the *dorse* of the same roll, with a continuation on the *recto* of the last membrane.<sup>1</sup> The 'A.D. 1272/3' chronicle has been absorbed integrally, although the protocols of some documents have been shortened; but the two texts are independent. Each has been taken from a third source, possibly the draft. The 'A.D. 1274' chronicle has been slightly edited. Four documents have been omitted and paraphrased, and two others have been inserted. The paraphrasing is clumsy, and reveals that a full version has been used, for there is a reference to 'the form written above,' when that is one of the pieces omitted. The insertion of documents is even more unhappy. An attempt has been made to give the king's reply to the convent's request for the licence to elect, which is common to both versions.

<sup>1</sup> Another copy of this 'A.D. 1274' chronicle is in MS. Durham D. & C. muniments, xx, Loc. 6, according to Raine, *Script. Tres*, p. xci n. The editor has not succeeded in examining this.

For some reason only half of the royal letter is given, and, as a substitute, the royal licence for the next election, that of Anthony Bek in 1283, is added. No other versions of the last two episodes have been found, although they also probably existed independently.<sup>1</sup>

We get a profounder understanding of the nature of these short chronicles from an examination of the *Placitum inter dominum Whikewam*, etc., the last item in the Cotton manuscript. It is an abortive attempt to produce another such chronicle. A large number of documents concerned with this great law suit, mostly entered on rolls, still survive at Durham. At the end of the thirteenth century there must have been an even greater number, and it is understandable that when there was so great an historico-legal interest at Durham, an attempt should have been made to edit the material, and produce an orderly account. But the task was not completed. Only half of the *Placitum* consists of documents in historical sequence with explanatory narrative; the other half is merely a collection of documents. But the failure is instructive, for we can see out of what material the chronicles were constructed. On fo. 163 begins a public instrument drawn up by Mr. Edmund of Canterbury, or of Verdun, the public notary retained by the convent, which occupies twelve folios, and contains about six thousand words. It is an account of the proceedings of the court of the judges-delegate sitting at Carlisle in October 1284, probably the official process, for Edmund was so employed by the court sitting at Stamford in February 1281/2,<sup>2</sup> and in its course at least twenty documents are entered, some being public instruments themselves. This great public instrument is very similar to the chronicles which have been used to swell the *Cronica regum post Conquestum*. It has but three differences: firstly it has its characteristic protocols; secondly, it presents the documents in the order in which they were exhibited to the court, and not in their historical sequence; and thirdly, the notary often obtrudes in the first person—'Loquitur notarius publicans processum.' But it will readily be seen that to produce such a work as the 'A.D. 1272/3' chronicle, all that

<sup>1</sup> Cf. the similar episode, which has been used and condensed by Graystones, printed by R. K. Richardson, 'Gesta Dunelmensia A.D. M<sup>o</sup>CCC<sup>o</sup>', in *Camden Miscellany*, vol. 13 (1924).

<sup>2</sup> Et mandauimus domino Edmundo, dicto de Verduno, sancte Romane ecclesie et inperiali auctoritate publico notario, vt omnia instrumenta, coram nobis in dictis causis et in presencia sua exhibita, et omnia acta, proposita et probata in dictis causis, coram nobis habita, conscribat, et in publicam formam redigat et scripturam (fo. 147v).



has to be done is to rearrange the documents and adapt the narrative of the notary.

This explanation of the origin of these chronicles also fits the subject matter. Each of them describes events which it is more than likely were recorded by the notary at the convent's request. Moreover, traces of the notary have not been entirely obliterated from the 'A.D. 1285/6' chronicle. At one point he is allowed to speak in the *Decretum* of the election—'Dictam uero electionem . . . continuo,'<sup>1</sup> and on another occasion a speech of Henry de Hornecastre has a marginal note, 'Queratur ista confessio sub manu publica in fine electionis ad hoc signum.'<sup>2</sup> That this chronicle is based on the notarial record of the election is evident; that the others are similarly derived is likely.

The compiler of these short chronicles, then, was little more than an editor, and the marginal note just mentioned takes away from him some of the activity with which he might easily be credited: the contribution of the conversations. It appears from the *Placitum* that the presence of the public notary was secured at all important interviews, so that he could record the proceedings,<sup>3</sup> and most of the conversations reported in these chronicles occur in debates on policy or in personal interviews. It would be difficult to find one which is not of legal importance. And so, while the compiler can probably be credited with the selection and presentation of these passages of *oratio recta*, it cannot be maintained that they are his personal contributions.

Such is the nature of the annals printed here. We have already traced three stages in their production: first there are notarial processes; these are redrafted into short chronicles as they appear on the roll, and finally these episodes are used to swell the *Cronica regum post Conquestum*, and suffer a little editing. The last stage is their absorption into Graystones' chronicle. A few entries in our annals also appear in Geoffrey of Coldingham; but there is not enough evidence to determine the relationship. Graystones, however, undoubtedly used our annals as the main basis for his work. His narrative swells when one of these episodes is available, the wording is often identical, and he can usually only fill in the gaps by listing

<sup>1</sup> See below, p. 108.

<sup>2</sup> See below, p. 101.

<sup>3</sup> Cf. the certificate of the citation of the archbishop of York, August 1284—'peremptorie citauimus in presencia domini Eadmundi, dicti de Verduno, publici notarii, et testium ad hoc adductorum' (*Placitum*, fo. 165v.).



such facts as he could derive from documents, most commonly details of territorial acquisitions.

Graystones cannot get real balance into his history; but he uses his material well. He assimilates the documents, and creates an almost continuous narrative. Here and there a document is recorded in *oratio obliqua* almost in its entirety, but generally there is great compression, and the wearisome prolixity, which comes from quoting legal materials, is to a large extent avoided. Perhaps his most remarkable achievement is the reduction of the *Placitum inter dominum Willelmum Whikewam*, etc., a work of not much less than fifty thousand words, into about three thousand four hundred words. Compared with his predecessors, Graystones is a pigmy. Yet the opening up of his sources has been kind to him. It allows us to see his difficulties, and to credit him not only with a sense of proportion, but also with those occasional human touches and little stories, which he has gathered from elsewhere, and which relieve the excessive legal preoccupation forced on him by his materials. It is true that he hardly improves when he comes to years of which he was a living witness; but perhaps he was hesitant to disturb the tone which his immediate predecessors had set.

It is clear that Graystones used a text independent of those discussed here. He used a better MS., for occasionally he gives what is almost certainly the proper reading when there is confusion in the texts of both the Cotton MS. and the roll. But the text he used could have differed little except in accuracy; and so we have reached a fourth stage: a history of the convent has been written out of the annals.

### 3. THE FORMULARIES AND THE DOCUMENTS.

The documents printed here have been taken almost entirely from Durham formularies, three of which, drawn up in the third quarter of the thirteenth century, have survived. Two are on rolls—Durham Dean and Chapter muniments, Locellus iii, 40, and Miscellaneous 5712, and the third is in a so-called register, ff. 15–26 of British Museum, Stowe 930. None of them can be called a pure formulary, for the compilers often tired of writing *N. episcopus* and *talis magister de tali loco*. Also each contains a good proportion of material which has no precedential value; but in the case of the rolls much of this may be extraneous, for blank parchment was always a temp-

tation to a scribe, and new membranes can be added to rolls. Moreover Locellus iii, 40 is rather a miscellaneous *florilegium* than a collection of business forms, and in the Stowe collection the legal interest is as strong as the diplomatic. Nevertheless, for the sake of convenience, we shall continue to call them formularies.

Misc. 5712 is a parchment roll of fourteen membranes, about eight metres long, rather worn at the beginning, but otherwise in good condition, containing documents written in several hands of the second half of the thirteenth century. An endorsement (c. 1500) is as follows, 'Copie literarum iudici spirituali pernecessariarum, et capitula generalia nostri ordinis in provincia Ebor' quondam tenta cum quibusdam statutis, cessio Hugonis prioris et electio Ricardi Hoton, cum maxima difficultate optenta ab episcopo D.'

The first five membranes form an entity, for the documents run over the joins; and the collection which has the best title to be called a formulary is on the recto and on part of the dorse<sup>1</sup> of these. There is a clear classification of forms indicated by the rubricator, and the amount of historical data left in the documents is small. The contents of the nine independent membranes are, however, miscellaneous, and have that same ambiguity of purpose which is encountered in the other two formularies. Membrane six contains a collection of petitions, which may be a continuation of the set on the dorse of the fourth and fifth membranes; but few of them have precedential value. Membrane seven is made up of emasculated letters dealing with Durham episcopal elections. Here it is difficult to suggest a reason for the suppression of historical details. With membrane eight the change in character is completed: most of the pieces are letter forms of no legal interest. The last five membranes are quite distinct, and contain the 'A.D. 1274' chronicle and statutes of the Northern General Chapters of the Benedictines. From internal evidence it appears that the collection on the first eight membranes was made towards the end of the first priorate of Hugh de Derlington.<sup>2</sup>

The Stowe collection seems to be of exactly the same date,<sup>3</sup>

<sup>1</sup> The dorse of membrane 1 was left blank for obvious reasons, and at a later date the 'A.D. 1274' chronicle was entered, and had to be continued on the recto of the 14th membrane.

<sup>2</sup> None of the pieces which can be precisely dated is later than 1269.

<sup>3</sup> Except for the last piece, dated 1273, which may easily have been added later, none of the documents which can be precisely dated is later than 1269.

and is written in one hand of the second half of the thirteenth century. The documents are roughly classified, although without subject headings, but there is very little suppression of historical detail. Names of persons and of places are usually given in full, and the date appears quite frequently. Indeed, the editing is most illogical, for those which have the least precedential value (*e.g.* Ottobono's letters<sup>1</sup>) are those that have suffered the most. It appears that the legal interest is dominant.

Locellus, iii. 40 is a roll of two independent membranes, the first 211 by 711 mm., the second 216 by 648 mm., in good condition, containing documents written in at least two hands of the turn of the thirteenth century. On the dorse paragraph signs have been rubricated. An endorsement (*c.* 1500) runs: 'Copie diuersarum literarum diuersis secundum eorum diuersam condicionem mittentiarum [*sic*], et nota bene easdem pro foro canonico.'

From internal evidence the collection seems to have been made during the early years of the priorate of Richard de Hoton;<sup>2</sup> but, although the latest in production, it is the most rudimentary in form, if it had any pretensions of being a legal formulary. There is no classification of forms, and the pieces themselves are of the most miscellaneous character. The first membrane contains a large proportion of real letters, and a number of documents concerned with the quarrel between the convent and the archbishops of York (1281-6). But there is a general suppression or contraction of proper names, and dates are never given. The second membrane has no homogeneity. On the recto, after a royal letter of public interest, are political and social poems and an account of the Crusading Council of 1292, followed by letter forms, all but one of which are also to be found on the dorse of membrane eight of the large roll. On the dorse are letter forms and excerpts from John of Salisbury and from some collection of the Becket correspondence. It is hard to see the exact purpose of this roll; but perhaps the dominant motive was the creation of a literary and stylistic *florilegium*.

Some documents are common to two or all three collections, and the question of the relationship between the formularies must be considered. The collection on the large roll has a number of pieces which appear in the others. It shares a third of Stowe's 100 pieces, and has fourteen which also occur

<sup>1</sup> See below, nos. 170-4.

<sup>2</sup> None of the items to which exact dates can be given is later than 1293.



in Locellus iii, 40. But the Stowe corpus and the small roll are independent except for two documents which are common to all.

The thirty-five pieces shared between the large roll and the Stowe collection are distributed fairly evenly in the latter, and, apart from one which appears on the dorse of the sixth membrane, are to be found on the first five membranes of the former. But it cannot be held that either collection is indebted to the other. The Stowe text is the product of a stupidly careless scribe, and contains many blunders which have not been reproduced by the scribe of Misc. 5712. Nor can the Stowe collector have drawn on the larger roll, for almost invariably his documents contain historical detail which has been suppressed in the other.

Fourteen pieces also are common to the two rolls. They all appear on the recto of the second membrane in the small roll, and seven of them occur in the same order on the dorse of the eighth membrane in the large roll. In this case it is likely that Misc. 5712 was used by the compiler of Locellus iii, 40. The text of the large roll is often better, and is of an earlier date.

As the two largest collections are certainly independent, but share thirty-three documents, it is important to discover from what source they selected their material, and determine, if possible, whether they drew on the originals or on another collection. The fact that thirty-three pieces are common to both immediately suggests that they were both indebted to a compilation, for it is no little coincidence. In the absence of the originals textual criticism is almost impossible, for it cannot be determined whether the texts have common variations, and no manifest common blunders are apparent. Nevertheless both texts appear to share a lacuna and at least one error.

It is clear that some of the documents were taken from a formulary which is no longer extant. This is proved by the identical abbreviations of common form found in the various copies. But it is unlikely that such a compilation was the only source, and interesting indications as to the nature of the other are to be found in the Stowe collection. Some of its documents are prefaced by a short historical account: 'Memorandum quod . . .'<sup>1</sup> In some cases this has been crowded into the space left for the title, or in the margin, but in others it appears integrally in the text. Some documents are also followed by such a note as 'Statim admissus est et institutus,' etc.<sup>2</sup> These

<sup>1</sup> cf. below, nos.

<sup>2</sup> Cf.

might possibly be the product of the personal knowledge of the scribe, or they might be taken from the endorsement on the original. But in several cases the scribe gives the date as 'anno supradicto,' when there is no obvious date to follow,<sup>1</sup> and in one case, in a memorandum,<sup>2</sup> he cuts short his recital of a document with 'as above in the letter granted to Sir R. de Clifford.' This document is not given; but one which fulfils all the requirements, although the name has been abbreviated to Sir R. de N., appears on Misc. 5712.<sup>3</sup>

It cannot be doubted, then, that both the Stowe and the Misc. 5712 collections are, in part at least, derived from earlier collections, and that a pure formulary would not alone suffice. Some of the characteristics of the other source can be postulated; the documents must have been given in full, or nearly so; it is unlikely that it contained titles, because the headings are usually quite different in the two extant collections; and it appears to have given some of the documents in chronological order, for the Stowe scribe can reproduce its 'anno supradicto.' These are the specifications of a register.

A consideration of the type of document preserved in the formularies also supports this conclusion. In-coming letters are overwhelmingly outnumbered by the out-going; proxies and documents concerned with the convent's patronage of churches and with the affairs of the cells form the bulk of their contents, and most of the miscellaneous material, such as royal writs, letters of the legate Ottobono, and important public documents would not appear incongruously in a mediaeval register. The earliest extant register of the convent begins in 1312, and none earlier was existing even in 1421. From this it has been inferred that the collections we have been considering are 'perhaps to be regarded as experiments leading up to the series of register books.'<sup>4</sup> Yet the evidence seems to point at least to the existence of a register covering, perhaps irregularly, the first priorate of Hugh de Derlington. This is in harmony with what we know of Hugh. His advice was always sought on matters of procedure when he was in retirement, and his first act on his return as prior was to have the accounts of the bursary re-audited for the years of his absence.

<sup>1</sup> See below.

<sup>2</sup> See below.

<sup>3</sup> See below.

<sup>4</sup> W. A. Pantin, 'English monastic letter-books' in *Historical essays in honour of James Tail* (1933), p. 203.

The documents which have been selected for presentation here are taken solely from these three MSS., but not exclusively from the parts which can be called formularies. The nuclei have attracted miscellaneous pieces, and these have not been rejected. It was possible to arrange the documents in one of several ways. They have been presented to illustrate the administration of the monastery, thus preserving a balance between the claims of local history and of diplomatics. There are certainly drawbacks in this plan. Documents dealing with individual churches are often scattered, for they illustrate different functions. But it seemed reprehensible to use documents, which were collected at the time to aid those actively engaged in the administration of the convent, otherwise than as illustrations of their work—a natural use of the documents, and, it is to be hoped, a profitable one.

#### 4. EXPLANATORY NOTES ON THE EDITING.

The annals are printed from British Museum Cotton MS., Julius D, iv, which is referred to in the footnotes as *MS.* The 'A.D. 1272/3' chronicle, taken from Durham Dean and Chapter muniments, Misc. 5712, is collated as *P*, and the 'A.D. 1274' chronicle, appearing on the same roll, is collated as *Y*. The various texts are of equal authority; but to preserve uniformity the spelling of the Cotton MS. alone has been followed, and preference has been given to its readings in cases of doubt.

The illustrative documents have been taken from three formularies: B. M. Stowe 930 (*S*), Durham D. and C. mun., Misc. 5712 (*M*), and Durham D. and C. mun., Locellus iii, 40 (*L*). The italic entry in the margin at the head of each document refers to the MSS. used in the preparation of the text. Two at least of the MSS. are of equal authority, and the printed text is partially conflated; but the spelling of that MS., which is listed first in the italic entry is alone reproduced. Preference is given to the readings of this principal MS. in cases of doubt, and the text of this MS. is referred to in the footnotes as *MS.*

In both sections of the book orthographical differences in the collated MSS., except in the case of proper names, have not been noticed, and erasures and alterations are indicated only if considered to be significant. Although the spelling of the principal MSS. has been faithfully reproduced, manifest errors



have been corrected in the printed text, and the MS. reading given in the footnotes. Lacunae due to mutilation have been restored in parentheses ( ); other insertions, whether derived from collated MSS., or, in the case of unique texts, supplied by the editor, are enclosed in square brackets [ ]. The text thus reconstructed is the basis for comparison with the collated MSS. Extensions of doubtful abbreviations and of contracted proper names are expressed by italic letters. The punctuation is my own. Heavy square brackets [ ] have been used to enclose passages written in later hands which occur in the MSS.

A dual footnote apparatus has been used, numbers for textual, and letters for subject notes. Where the textual footnote 'omit' is found, reference is to the one word preceding the number. Place names are identified in the index. Notes on persons are usually given on the first occurrence. Dates at the head of a document enclosed in square brackets have been supplied by the editor.



# ANNALES DUNELMENSES

A.D. 1207-1286

MCCVI. Natus est Henricus, filius Iohannis regis Anglie. A.D. 1207.

MCCVII. Factum est interdictum generale in Anglia, A.D. 1207/8.  
vigilia assumptionis Beate Marie, propter Stephanum de  
Langeton, archiepiscopum Cantuariensem, a domino papa  
consecratum, quia dominus rex noluit admittere eum.<sup>a</sup>

Eodem anno obiit Philippus, Dunelmensis episcopus, x. A.D. 1208.  
Kallend' Maii, feria iij., anno pontificatus sui xj., et extra 22 April.  
septa monasterii in loco non consecrato a laicis sepultus est. Obiit  
Post cuius obitum uacabat ecclesia Dunelmensis per (ix) Philippus  
annos et dimidium [et circa duos menses].<sup>1</sup> Dun' episco-  
pus.

MCCVIII. Iohannes, rex Anglie, subiugauit sibi Yberniam. A.D. 1210.

MCCIX. Electus est Ricardus, decanus Sarisberiensis, ad A.D. 1213.  
ecclesiam Dunelmensem; set monachi in sui iuris periculum  
electionem apud se v. mensibus occultabant; nec eam populo,  
nec regi, nec pape uolebant [exponere]. Vnde postea a  
domino papa cassata fuit eorum electio. Cf. Gauf.  
Cold. p. 26.

MCCX.<sup>2</sup>

MCCXII. Solucio interdicti in translacione Sancti Bene- A.D. 1214.  
dicti.<sup>b</sup> Eo tempore congressi sunt rex Francie et comes 11 July.

Flandrie nomine Feraunt; comites Bononie, Saliberie et  
Willelmus Longus Ensis capti sunt.<sup>c</sup> Eodem anno postulatus  
est Iohannes Gray, / Norwicensis episcopus, ad ecclesiam fo. 72v.  
Dunelmensem, x. Kal' Marcii, anno interdicti vj<sup>to</sup>, vacante 20 Feb.  
episcopatu post decessum *Philippi* episcopi annis v. mensi- 1213/4.  
bus x. et xx. diebus.<sup>d</sup> Defunctusque est dictus Iohannes  
Norwicensis paucis diebus elapsis in itinere uersus curiam,  
et tamen dominus papa eodem die Ricardum Sarisberiensem  
decanum, prius canonice electum, viuum cassauit, et Iohan-  
nem Gray mortuum confirmauit.<sup>3e</sup>

MCCXIII. Electus est Morganus, frater regis,<sup>f</sup> qui curiam  
adiit, et cassatus est quia spurius fuit, procurante rege An-

<sup>1</sup> Added in the margin in a coeval hand.

<sup>2</sup> An entry of three lines about the postulation of John de Gray, which

appears to have been similar to the passage given below under MCCXII, has been erased.

<sup>3</sup> One line blank.

‘Nuper<sup>1</sup> ad audienciam nostram peruenit<sup>2</sup> eleccio Cantuariensis ecclesie,<sup>3</sup> de quodam monacho *Waltero* nomine<sup>4</sup> facta,<sup>5</sup> et postquam audiui<sup>6</sup> que pro se idem monachus et pro<sup>7</sup> sua eleccione proposuit, audit(is) etiam obieccionibus et excepcionibus ex parte<sup>8</sup> episcoporum Anglie tam contra eleccionem prefatam<sup>9</sup> quam in<sup>10</sup> personam electi, per venerabiles fratres nostros, *Couentrensem* et *Rofensem* episcopos, et dilectum filium archidiaconum<sup>11</sup> *Bedfordensem*, in audientia nostra propositis, examinacionem circa<sup>12</sup> electi<sup>13</sup> personam venerabilibus fratribus<sup>14</sup> episcopo<sup>15</sup> Albanensi,<sup>16</sup> magistro<sup>17</sup> *Thome* de Sancta Sabina, et magistro *Petro* de Capi<sup>18</sup> commisimus faciendam. Cumque idem<sup>19</sup> electus, coram illis constitutus, requisitus esset de descensu domini<sup>20</sup> vtrum in carne uel sine carne descendit,<sup>21</sup> male respondit. Item, requisitus<sup>22</sup> de confeccione corporis Christi in altari,<sup>23</sup> male respondit. Item, requisitus de Rachele, qualiter plorabat filios suos, cum prius esset mortua,<sup>24</sup> male respondit. Item, requisitus<sup>25</sup> [de sententia excommunicacionis] contra iuris ordinem lata, male respondit. Item, requisitus de <sup>26</sup>matrimonio, si alter contrahencium infidelis<sup>27</sup> discesserit,<sup>28</sup> male respondit. Super hiis omnibus articulis diligenter examinatus est a dictis<sup>29</sup> cardinalibus; quem non solum<sup>30</sup> dicimus minus [bene]<sup>31</sup> respondere<sup>32</sup> set pessime. Cum igitur nobilis sit ecclesia Cantuariensis et nobilem habuisset prelatum, virum discretum, modestum et sanctum<sup>33</sup> et de gremio sancte<sup>34</sup> Romane ecclesie assumptum,<sup>35</sup> et iste modo<sup>36</sup> electus, quem non solum pronunciamus<sup>37</sup> indignum, immo, si de rigore iuris proced-

Jeremiah,  
XXXI. 15.

fo. 74.

<sup>1</sup> Cum nuper, *A*.  
<sup>2</sup> pervenisset, *A*.  
<sup>3</sup> eccles. Cant., *A*.  
<sup>4</sup> nom. Walt., *A*.  
<sup>5</sup> *Om.*, *B*.  
<sup>6</sup> et nos ea audivissemus, *A*.  
<sup>7</sup> *Om.*, *A*.  
<sup>8</sup> *Om.* ex parte, *B*.  
<sup>9</sup> praefat. elec., *A*.  
<sup>10</sup> contra, *A*.  
<sup>11</sup> Add de, *A*.  
<sup>12</sup> contra, *MS*.  
<sup>13</sup> Add praefati, *A*; add praeonomi-  
nati, *B*.  
<sup>14</sup> Add nostris, *B*.  
<sup>15</sup> domino, *B*.  
<sup>16</sup> Ambinensi, *A*.  
<sup>17</sup> *Om.*, *A*.  
<sup>18</sup> Add cardinalibus, *A*; *P.* cardi-  
nalibus, *B*.

<sup>19</sup> *Om.*, *B*.  
<sup>20</sup> Add ad inferos, *B*.  
<sup>21</sup> descenderet, *A*; descenderit, *B*.  
<sup>22</sup> *Om.*, *B*.  
<sup>23</sup> altare, *B*.  
<sup>24</sup> mort. ess., *A*; male resp. ‘Cum  
primo ess. mort.’, *B*.  
<sup>25</sup> requisita, *MS*.  
<sup>26</sup> de repeated, *MS*.  
<sup>27</sup> infideliter, *A*.  
<sup>28</sup> decesseret, *A*; decesserit, *B*.  
<sup>29</sup> praedictis, *A*; *om.*, *B*.  
<sup>30</sup> *Om.*, *A*.  
<sup>31</sup> *Om.*, *MS.*, *A*, *B*.  
<sup>32</sup> respondisse, *A*, *B*.  
<sup>33</sup> *Om.* et sanctum, *B*.  
<sup>34</sup> *Om.*, *A*, *B*.  
<sup>35</sup> sumptum, *A*.  
<sup>36</sup> monachus, *A*.  
<sup>37</sup> pronunciamus, *A*.

eremus, aliud dicere cogeremur, ita insufficiens est, quod ad tantum honorem non debet<sup>1</sup> assumi, electionem de ipso *Waltero*<sup>2</sup> factam penitus<sup>3</sup> cassamus, prouisionem dicte ecclesie nobis<sup>4</sup> reseruantes.<sup>7</sup>

Scrpsit igitur dominus papa ad petitionem monachorum *Dunelmensium*, in curia existencium, Ricardo dicto Pauperi, episcopo *Sarisberiensi*, in uirtute sancte obediencie, ut ipse reciperet curam episcopatus *Dunelmensis*, ad quam postulatus fuisset.<sup>a</sup> Et sic monachi a curia recesserunt.<sup>5</sup>

Ricardus dictus Pauper, episcopus *Sarisberiensis*, recepit<sup>A.D. 1228.</sup> curam temporalitatis episcopatus *Dunelmensis* a domino Henrico, rege Anglie, ad mandatum domini pape die Sancte<sup>22 July.</sup> Marie Magdalene, et in die translacionis Sancti Cuthberti<sup>4 Sept.</sup> proximo<sup>6</sup> sequente intronizatus fuit apud Dunelmum. [Set translatus fuit per bullam Gregorii ix., pridie Idus Maii,<sup>14 May.</sup> anno eodem. Et obiit xvij. Kal' Maii, anno domini<sup>15 April.</sup> M<sup>o</sup>CC<sup>o</sup>XXX<sup>o</sup>VII<sup>o</sup>.]<sup>7</sup> /<sup>fo. 74v.</sup>

MCCXXXV. Sanctus Edmundus consecratur archiepiscopus *Cantuariensis*.<sup>8</sup> <sup>A.D. 1234.</sup>

MCCXXXVII. Obiit Ricardus, quo[n]dam *Sarisberiensis* <sup>A.D. 1237.</sup> postea *Dunelmensis* episcopus, xvij. Kal' Maii, scilicet feria<sup>15 April.</sup> iiij. ante Cenam Domini, apud Tarentum; et ibidem in abacia<sup>Cf. Matt.</sup> monalium, sicut uiuens preceperat, est humatus. Cuius obitu<sup>Paris,</sup> die octauo fratribus *Dunelmensibus* nunciato, et seruicio<sup>Chron. Maj,</sup> in crastino pro ipso cum solempnitate debita celebrato, iidem<sup>iii, 391-2.</sup> fratres secundum consuetudinem tres monachos ex parte capituli, viij. Kal' Maii, ad regem *Henricum* ad petendam ab<sup>22 April.</sup> eodem eligendi licenciam transmiserunt cum litteris capituli<sup>23 April.</sup> patentibus. Itaque predicti fratres iij. Non' Maii apud<sup>24 April.</sup> Windesouer' ad regem peruenerunt, eoque salutato, et litteris capituli eidem porrectis et coram eo publice perlectis, et insuper licencia eligendi episcopum more debito ab eodem<sup>5 May.</sup> petita, idem rex post habitum cum suis consilium in crastinum eligendi licenciam eisdem benigne et absolute concessit per suas litteras regias patentibus.<sup>b</sup> Interim, die Inuencionis<sup>3 May.</sup> Sancte Crucis, dominus *Eboracensis*<sup>c</sup> et *Iohannes*, comes *Lincolniensi* s,<sup>d</sup> a domino rege missi cum litteris de credencia, venerunt Dunelmum. Conuenien[ti]bus siquidem in capitulum fratribus, tunc domi presentibus, dicti nuncii, in capi-

<sup>1</sup> deberet, A.

<sup>2</sup> Om., B.

<sup>3</sup> omnino, B.

<sup>4</sup> nobis dictae ecclesiae, B.

<sup>5</sup> One line blank.

<sup>6</sup> proxima, MS.

<sup>7</sup> In third hand.

<sup>8</sup> Three lines blank.



glie. Propositum namque fuit contra dictum Morganum coram domino papa, quod Henricus rex, pater Iohannis regis, genuerat eum de vxore cuiusdam militis Anglie, dicti Radulfus [*sic*] Bloet; vnde dominus papa supercompassus rogabat eundem Morganum, quod si fateretur quod esset filius dicti militis, dispensaret cum eo et confirmaret electionem eius. Super quo, consulto quodam clerico suo, scilicet magistro Willelmo de Lanum,<sup>a</sup> respondit expresse, quod nunquam regium sanguinem subticere vellet propter aliquam dignitatem; vnde cassatus est a domino papa.

A.D. 1216.

MCCXIII. Gualo Vercellens[is], legatus Anglie, contulit episcopatum Dunelmensem, tunc per ix. annos et dimidium et citra duos menses uacantem, Ricardo de Marisco, cancellario domini regis, citra festum Sancti Nicholai<sup>b</sup>; consecratusque est a domino Waltero Gray, archiepiscopo Eboracensi, citra festum Sancti Iohannis Baptiste.<sup>2 c</sup>

6 Decr mb

[Consecratio  
Ricardi  
episcopi.] (1)

A.D. 1216.  
14 Oct.

MCCXVI. Obiit Iohannes, rex Anglie, pridie Id' Octobris.<sup>d</sup> Regnavit autem annis xvii. et xx. septimanis. Eodem anno Henricus, filius Iohannis regis, puer ix. annorum, inunctus est et coronatus in regem Anglie, v. Kal' Nouembris, scilicet in die Apostolorum Symonis et Iude. Eodem anno

28 Oct.

A. D. 1217.

Lodouicus, frater regis Francie,<sup>e</sup> venit Londonium in auxilium baronum; factaque est congressio Francorum et baronum cum regalibus apud Lincolniam, Sabbato in ebdomade Pentecostes, victique sunt barones cum Francis a regalibus, et comes Percie<sup>f</sup> occisus est.

10 May.

A.D. 1214.  
fo. 73.

[MCCXIII. Relaxacio interdicti in Anglia.<sup>3</sup>] <sup>g</sup> /

A.D. 1217.

MCCXVII. Excercitus ueniens Lodouico in auxilium captus est in mari; vnde Lodouicus pacem quesuit, et recessit ab Anglia cum suis citra festum Sancti Michaelis.<sup>4</sup>

29 Sept.

A.D. 1220.

MCCXX. Translacio Sancti Thome Cantuariensis archiepiscopi, Non' Iulii.<sup>5</sup>

7 July.

A.D. 1226.

Friday,  
1 May.

5 May.

MCCXXIII. Obiit Ricardus de Marisco, episcopus Dunelmensis, Kall' Maii apud Burgum Sancti Petri, feria vj., corpusque eius Dunelmi sepultum est, die Martis proximo<sup>6</sup> sequente, episcopatus sui anno viij. Post cuius obitum uacabat ecclesia per duos annos quatuor menses, duabus diebus

<sup>1</sup> In third hand.<sup>2</sup> x. Kal' Iulii interlined in third hand.<sup>3</sup> Entry in second hand in bottom margin.<sup>4</sup> Three lines blank.<sup>5</sup> Seven lines blank.<sup>6</sup> proxima, MS.



minus. Electus est magister Willelmus de Stichelille, archidiaconus Wigorniensis, qui curiam adiit in propria persona<sup>a</sup>; et licet eleccio de se facta crederetur in curia summum habere fauorem, recepta examinacione, dominus papa in vigilia Ascencionis dominice subito pronunciauit sub hac forma:

3 May  
1228.

‘Defuncto episcopo Dunelmensi, prior et capitulum conuenerunt ad eligendum sibi pastorem, et, lecto concilio, propter temporis breuitatem uoluerunt procedere secundum illam formam que fit quasi per inspiracionem spiritus sancti. Vnde dictum fuit in conuentu, quod prior aliquam personam nominaret, ut, si videretur ydonea, possent in eundem [*sic*] consentire. Et priore nominante magistrum Willelmum archidiaconum Wigornensem, dixerunt omnes, “Placet, quia bonus est.” Vnde prior, facto signaculo crucis, dixit, “Et ego, in nomine patris et filii et spiritus sancti, eligo magistrum Willelmum, archidiaconum Wigornensem, in episcopum et pastorem / Dunelmensis ecclesie,” et post eum vnusquisque, sicut erat ordo eorum. Quod due forme concilii, scilicet scrutinium uel compromissum, non fuerunt attemptate patet. Item, quod quasi per inspiracionem sancti spiritus sit probatur. Prior dixit “Ego” &c., et sic vnusquisque secundum suum ordinem; ista eleccio non fuit facta communiter ab omnibus, set singulariter, vnde non quasi per inspiracionem; et ideo eam irritamus, reseruata nobis potestate ordinandi de eadem ecclesia.’

4 Lat., c. 24;  
Decret.,  
lib. 1 tit. vi.  
cap. 42.

fo. 73v.

Postea uero, attendens quod, si fas est dicere, nos<sup>b</sup> potius uoluntate quam iusticia grauaret, vocauit nos, et dixit, ‘Graciam faciemus uobis, quia gracia indigetis. Nominetis aliquas personas ydoneas, et dabimus uobis vnā ex illis.’ Nos uero, modico habito tractatu, supplicauimus instanter ut concederet nobis episcopum Sarisberiensem, dudum ecclesie nostre sponsum,<sup>c</sup> in episcopum et pastorem Dunelmensis ecclesie, sub cuius alis ecclesia nostra posset respirare. Et licet essemus interpellati a papa et a fratribus ut aliam personam nominarem, uel saltem aliquem alium episcopum transferendum, nos eidem firmiter adhesimus, et ad ultimum optinuimus dari eundem Sarisberiensem in episcopum Dunelmensem, scilicet die Martis infra octabas Assencionis.<sup>d</sup> Eodem die dominus papa in sermone suo sic proposuit:<sup>e</sup>

9 May 1228.

4 May.

fo. 75.

15 May.

1 June.

Eleccio  
domini  
Thome de  
Melsamby  
prioris  
Dunelm'  
in epis-  
copum D.

tulum venientes, predictas litteras ex parte regis priori porrexerunt. Quibus publice lectis, obnixè supplicauerunt, quatinus pro amore regis et securitate regni electum siue procuratorem Ualencie<sup>a</sup> in episcopum sibi eligerent; hec et alia quedam circa idem negocium ex parte regis proponentibus illis, prior et conuentus responderunt se uelle super hiis deliberare et eis ex consulto in crastinum respondere. Habitoque consilio, eis responsum est in crastinum in hunc modum: Intellecta petitione domini regis ac exposita per dominum archiepiscopum Eboracensem et Iohannem, comitem Lincolniensem, habitoque tractatu cum conuentu tunc presente, cum tamen plures monachi absentes essent quos dictum negocium tangebatur, prior sic respondit, quod in personam nominatam uel aliam personam non potuerunt ad presens consentire, quia cum [tres] tantum forme sint constitute circa electionem faciendam, et in qualibet forma ipsis precluderetur uia eligendi, quia per scrutinium procedi non posset, nec si[n]gulorum uota examinari, nec in forma arbitrii, cum ad ipsos arbitros pertineret / personam nominare quam uellent, nec in tertia forma, qua planum est, quia non haberet locum instinctus spiritus sancti, cum prederet certe persone nominatio. Preterea in facienda electionis examinatione manifestum appareret uicium, propter quod tam eligentibus quam nominato posset fieri preiudicium. Adiecitque prior quod, conuocatis fratribus, quos causa electionis contingit, loco et tempore, deum habentes pre oculis, talem electuri erunt, secundum quod ipsis possibile fuerit, inuocata spiritus sancti gracia, qui deo et ecclesie erit utilis, regi et rengno fidelis, et qui ei debeat de iure placere, pensata utilitate ecclesie, et statu episcopatus considerato. Audito hoc responso qui missi fuerant recesserunt, hoc regi renunciaturi. Redeuntibus igitur fratribus, ad regem, ut predicatur, missis pro licencia eligendi petenda, Idus Maii, statutus est dies ad eligendum, scilicet dies Lune proximus post ascensionem domini. Vocatis qui vocandi erant in electione, die constituto processerunt, vij. fratres de communi consensu eligentes, in quos uota sua compromiserunt, ut quem illi vij. eligerent, omnes ipsum in episcopum et pastorem susciperent. Illi uero, accepta potestate, in vnam partem capituli secesserunt, et Thomam de Melsamby, priorem Dunelmensem, in episcopum elegerunt; publicataque electione coram clero et populo, tandem electus, lacrimosis fratrum precibus et consilio clericorum flexus, vix adqueiuit. Quo facto, magister W. Crispin<sup>b</sup>

statim cum quibusdam monachis venit ad ecclesiam, et ibi coram populo publice appellauit pro electo et iure electi. Eodem die ex parte capituli misse sunt littere patentes super facto suo ad dominum Eboracensem, et similiter ad capitulum Eboracense et ad certas et autenticas personas tam ecclesie Eboracensis et ecclesie Dunelmensis et ad curiam domini regis. Set electioni opposuit se dominus rex per excepciones subscriptas:<sup>a</sup> Quia idem electus est inimicus regis et regni. Item, cum episcopus Dunelmensis habeat castra fortissima et municiones in confinio Anglie et Scocie, periculosum esse regi et regno ut suus inimicus et amicus regis Scocie preficeretur ibidem. Item, dicunt quod electus fecit homagium regi Scocie. Item, quia periculosum esset regi et regno si idem preficeretur, maxime quia terras suas habet sitas in maritimis, et posset pro uoluntate sua, etiam rege inuito, Francos et Flandrenses, regis et rengni inimicos, introducere. Item, quod tanquam homicida debet repelli. Item, quod impugnauit libertates ecclesie Dunelmensis. Item, quod usurpauerat libertates ecclesie Dunelmensis. Item, quod est morbosus. Item, quod voti transgressor est, quia personaliter carnes comedit, et aliis licenciam comedendi dedit. Item, quod est symoniacus multis de causis. Item, quod incidit in canonem *Late sentencie*. Item, quod non est sufficienter litteratus. / Cumque super hiis implacitarent coram archiepiscopo Eboracensi, Waltero Gray, per multum tempus, et dictus archiepiscopus negocium differret, scripserunt curie Romane sub hac forma:

Excepciones  
contra  
dictum  
electum.

Decretum,  
c. 29, C.  
XVII, qu.  
fo. 75v.

‘Cum ecclesia Dunelmensis nuper pastore uacasset, et prior et capitulum eiusdem, petita et optenta, sicut moris est, a domino rege licencia eligendi, die ad hoc prefixa, presentibus omnibus qui uoluerant, pot[u]erant et debu-erant interesse, ad tractandum de futuri substitutione pastoris in capitulo conuenissent, post multos tractatus compromiserunt in vii. ex ipsis, qui vice omnium ipsi ecclesie de persona ydonea prouiderent; qui, secedentes in partem, et inter se diligenti tractatu conuenientes in vnum, elegerunt vice sua et omnium in episcopum priorem eiusdem ecclesie, virum vtique litteratum, prouidum et honestum, per cuius industriam creditur posse ipsa ecclesia in spiritualibus et temporalibus de bono in melius reformari. Cuius electio, cum ab omnibus fuerit acceptata, et dominus rex, humiliter requisitus, de die in diem dare ipsi electioni suum differret assensum, ne ipsa ecclesia sub diutina vaca-



cione magnum incurreret detrimentum, cum interim omnes prouentus episcopales occupentur a rege, nec in vsus ipsius ecclesie conuertantur set in proprios usus, et magnum immineat ibi periculum animarum, quia non est qui pontificale exerceat officium in eadem, fuit ex parte ipsius capituli eadem electio *Eboracensi* archiepiscopo presentata, et petita confirmacio ab eodem. Coram quo, cum quidam pro rege se ipsi electioni opposuerint et electo, et quasdam excepciones confinxerint contra eum, quibus dicebant electionem confirmandam non esse, facta responsione a capitulo quod regis non intererat super quibusdam, que obieiebantur, audiri, cum esset laicus, nec esset super criminibus et super aliis famosis aduersus personam ecclesiasticam, cuius semper integra erat fama et illesa oppinio, audiendus, quia idem archiepiscopus de termino in terminum, licet nichil probatum fuerit ex aduerso, non absque graui dispendio ecclesie negocium ipsum differt, nostrum capitulum, cum huiusmodi dilacio ecclesie *Dunelmensi* nimium sit da[m]pnosa, quia cotidie leditur grauiter status eius, misit nos ad pedes uestros, flexis genibus supplicando, vt, misericorditer compacientes, archiepiscopo *Eboracensi* detis in mandatis, quod infra spacium trium mensium post receptionem litterarum uestrarum ipsum negocium<sup>1</sup> fine debito decidat; nichilominus manda[n]tes venerabili patri domino *Ottoni*, Sancti Nicholai in Carcere Tulliano diacono cardinali,<sup>a</sup> vt, si dictus archiepiscopus mandatum vestrum neglexerit adimplere, audiat ipse ex tunc idem negocium, et ei sine more dispendio, iusticia mediante, debitum / finem imponat; et, ne occasione ipsarum excepcionum, quas quidam pro rege opponunt, negocium contingat diucius differri, placeat sanctitati vestre hic easdem excepciones audire, et scribere archiepiscopo que illarum debeant uel non debeant admitti, vel in quibus earum debeat uel non debeat rex exaudiri.<sup>2b</sup>

fo. 76.

Ad hec domino pape referendas missi sunt ad curiam iij. monachi, scilicet Robertus de Houedena, supprior *Dunelmensis*, Laurentius de Sedeli[n]gton' et Alanus camerarius, Roberto de Hexildesam, monacho, eorum aduentum in curia expectante; missusque est cum dictis monachis magister Wilhelmus de la Hay,<sup>c</sup> qui omnes in itinere mortui sunt. Cumque dictus electus licenciatus esset a rege curiam adire, et venisset apud Douer, et preparasset se ad transfretandum, occurrit ei constabularius eiusdem, nomine Bertramus de Creol,

<sup>1</sup> Repeated, MS.

ex parte regis, et prohibuit transsitum eius. Quod cum vidisset electus, reuersus est, et in die Palmarum Dunelmum rediit, omnino renunciens eleccioni de se facte.<sup>a</sup> Quo audito, misit rex nuncios Dunelmum, qui appellauerunt contra plurimas personas de quibus spes erat, videlicet contra decanum *Lincolniensem*<sup>b</sup> et contra vicarium de Aucland<sup>c</sup>, scilicet magistrum Symonem de London<sup>e</sup>, et contra omnes religiosos. Quod cum audissent monachi *Dunelmenses*, elegerunt magistrum Nicholaum de Farenham<sup>f</sup>, tunc medicum regine, et quieuit rex, cessauitque conflictus vtriusque partis.<sup>1 d</sup>

MCCXXXIX. Obiit Sanctus Edmundus, archiepiscopus *Cantuariensis*, xvj. Kal' Decembris. Eodem anno natus est Edwardus, filius Henrici regis Anglie, xiiij. Kal' Iulij.<sup>2</sup>

A.D. 1240.  
16 Nov.  
A.D. 1239.  
18 June.

MCCXLI. Electus est magister Nicholaus de Farenham, medicus domine regine Anglie, in episcopum *Dunelmensis* ecclesie in crastino circumcisionis domini, feria v., iiij. Non' Ianuarii, recepitque temporalitatem a domino rege in die Sancte Scolastice Virginis, scilicet iiij. Id' Februarii,<sup>e</sup> consecratusque in episcopum apud Glawcestr' in die Trinitatis<sup>f</sup> a domino Waltero Gray, archiepiscopo *Eboracensi* et intronizatus fuit apud Dunelmum in die translacionis Sancti Cuthberti eodem anno, vacante episcopatu /<sup>4</sup> *Dunelmensi* a die obitus Ricardi, quondam *Sarisberiensis* postea *Dunelmensis* episcopi, vsque ad eleccionem dicti Nicholai annis quatuor, exceptis tribus mensibus, ij<sup>b</sup>us ebdomatibus et v. diebus.<sup>3</sup>

A.D. 1240/1.  
2 Jan.  
10 Feb.  
26 May  
1241.  
[Consecratio  
Nicholai  
Farneham  
episcopi  
M<sup>o</sup>CC<sup>o</sup>  
XLII<sup>o</sup>.J(3)  
fo. 76v.

MCCXLII. Noua fabrica ecclesie *Dunelmensis* incepta est tempore Nicholai episcopi et Thome de Melsamby prioris *Dunelmensis*; ad quam contulit dictus *Nicholaus* episcopus ecclesiam de Bedelington.<sup>g</sup> [Eodem anno rex Henricus in Vasconiam transfretauit.<sup>6</sup>] <sup>7</sup>

MCCXLIIII. Factus est Bertramus de Midelton' prior *Dunelmensis* die Sancti Mauricii.<sup>5 h</sup>

A.D. 1244  
22 Sept.

MCCXLV. Innocentius papa celebrauit concilium Lugduni, in quo deposuit Fredericum, imperatorem Romanorum.<sup>8</sup>

A.D. 1245.

MCCXLVII. Translacio Sancti Edmundi, *Cantuariensis* episcopi, v. Idus Iunii.<sup>1 i</sup>

A.D. 1247  
9 June.

<sup>1</sup> Three lines blank.

<sup>2</sup> One line blank.

<sup>3</sup> In third hand.

<sup>4</sup> episcopatu repeated, MS.

<sup>5</sup> Two lines blank.

<sup>6</sup> In second hand.

<sup>7</sup> Three lines blank.

<sup>8</sup> Four lines blank.

A.D. 1248/9. MCCXLVIII. Die Lune proxima post festum purificationis Beate Virginis venit magister Iohannes le Gras<sup>a</sup> Dunelmum cum litteris patentibus domini archiepiscopi Eboracensis<sup>b</sup> et episcopi Bathoniensis,<sup>c</sup> priori et conuentui directis, super cessione domini Nicholai, quondam Dunelmensis episcopi,<sup>d</sup> et super eleccione canonica de ydonea persona dicte ecclesie in episcopum et pastorem preficienda auctoritate apostolica. Petita igitur a domino rege licencia eligendi et optenta / vna cum litteris regiis super cessione, prefigerunt diem eligendi, scilicet diem Mercurii proximam post festum Sancti Elphegi.<sup>1</sup>

fo. 77.

21 April  
1249.

A.D. 1249. MCCXLIX. Electus est Walterus de Kirham, decanus Eboracensis,<sup>e</sup> in episcopum Dunelmensis ecclesie die Mercurii proxima post festum Sancti Elphegi, recepitque temporalitatem a domino Henrico, rege Anglie, et consecratus est in episcopum apud Eboracum a domino Waltero Gray, archiepiscopo Eboracensi, Non' Decembris, scilicet in vigilia Sancti Nicholai, que eodem anno Dominica euenit. Eodem anno Lodouicus rex cepit Damietam.<sup>1</sup>

[Consecratio  
Walteri  
Kyrk-  
ham.](2)

5 Decemb.

A.D. 1250. MCCL. Rex Francie captus a paganis et magnates occisi. Eodem anno obiit Fredericus, imperator Romanorum.<sup>1</sup>

A.D. 1251. MCCLI. Alexander, rex Scocie, puer xi. annorum, desponsauit Margaretam, filiam Henrici, regis Anglie, apud Eboracum die nathalis domini.<sup>1</sup>†

25 Decemb.

A.D. 1253. MCCLIII. Obiit Robertus dictus Grostethe, episcopus Lincolniensis. Eodem anno intrauerunt monachi Dunelmenses nouum chorum. [Eodem anno, secundo t[ra]nsfretauit rex Henricus in Vasconiam.]<sup>3</sup>

A.D. 1254. MCCLIIII. Edwardus, filius Henrici regis Anglie, desponsauit Alienoram, sororem regis Hyspanie, postea reginam Anglie. Eodem anno rex Francie rediit de Terra Sancta in Franciam, et rex Anglie rediit de Gasconia in Angliam vna cum regina per terram regis Francie. Eodem anno Innocentius papa concessit regi Anglie per triennium omnes decimas ecclesiarum Anglie. Item, Innocencius papa mortuus est et Alexander papa iiij<sup>tus</sup> ordinatus. Item, multi prelati Anglie mortui sunt.<sup>1</sup>

A.D. 1255. MCCLV. Henricus rex Anglie et regina iuerunt in Scociam et redierunt, ordinatis custodibus regis et regni Scottorum.

[Nota.](2)

<sup>1</sup> One line blank.<sup>2</sup> In third hand.<sup>3</sup> In second hand.



Alexander papa dedit regnum Apulie / et Sicilie Edmundo, <sup>fo. 77v.</sup>  
filio regis Anglie. Et propterea episcopus Herefordensis  
obligauit religiosos Anglie mercatoribus ad soluendum pape  
xxx. et viij. millia marcarum. Appellauerunt igitur Dunel-  
menses pro se in hac forma<sup>1</sup>:<sup>a</sup>

Notum sit omnibus, quod nos, *Bertramus* prior et  
conuentus *Dunelmenses*, sacrosancte sedi apostolice in  
omnibus canonicis, honestis et licitis maxime possibilibus  
obediuius semper et obediemus, spoliacioni uero eccle-  
siarum nostrarum, direpcioni bonorum nostrorum, sub-  
uersioni libertatum, subtractioni victualium, tanquam in-  
tollerabilibus nobis et impossibilibus non consentimus,  
inductioni vilissime seruitutis in ecclesiam Christi, grauissi-  
mi in clero scandali, nephandissimi obprobrii crucifixi, tan-  
quam irremediabilis in perpetuum incomodi occasione, omni-  
no contradicimus, et usque ad colli extensionem, si necesse  
fuerit, resistere uiriliter parati sumus; et hoc quibuscunque  
exaccionum executoribus cum intimo dolore et lacrimabili  
cordis amaritudine protestando denunciamus. Cum igitur  
decimam ecclesiasticorum nostrorum prouentuum domino  
nostro regi Anglie illustrissimo in subsidium peregrina-  
cionis sue a quibusdam prelatis Anglie, maiori scilicet  
parte cleri reclamante, per triennium concessam, in forma  
ab eis concessa parati sumus<sup>2</sup> soluere, et pro anno pre-  
senti, sicut de preterito fecimus, quantumcunque grauati  
simus, satisfacere, quia vos, magister Rostande, et vos,  
magister *Bernarde Senonensis*,<sup>b</sup> ad indebitam pecuniam, per  
falsum procuratorem fraudulenter nobis impositam, qui-  
busdam mercatoribus, quibus in nullo tenemur, soluendam,  
per excommunicacionis et interdicti sentencias<sup>3</sup> nos com-  
pellere contra iusticiam nitimini, presenciam domini pape  
et cardinalium appellamus in hiis<sup>4</sup> scriptis. Hec appellacio  
facta fuit in capitulo *Dunelmensi*, Sabbato quo cantatur <sup>8 April</sup>  
*Scientes*, anno domini M<sup>o</sup>CC<sup>mo</sup>LVI,<sup>5</sup> et iterum renouata <sup>1256.</sup>  
coram multis.<sup>6</sup> /

MCCLVIII. xvij. Kall' Augusti domino *Bertramo*, priore <sup>fo. 78.</sup>  
*Dunelmensi*, apud Bellum Reditum existente, uiribus corpor- <sup>A.D. 1258.</sup>  
alibus in ipso fatiscentibus, destinatus est *Hugo* supprior<sup>c</sup> ex <sup>16 July.</sup>  
parte dicti prioris apud Dunelmum, supplicaturus conuentui

<sup>1</sup> This document is also found in  
M, mem. 2 recto (3); it is here  
collated as Z.

<sup>2</sup> simus, Z.

<sup>3</sup> sentenciam, Z.

<sup>4</sup> Om., Z.

<sup>5</sup> M<sup>o</sup>CC<sup>o</sup>LXI, Z.

<sup>6</sup> Six lines blank.

ut multis de causis et ob plurima pericula imminencia cessionem ipsi[u]s, uolentis et instanter petentis, benigne admitteret, assignata prius sibi de bonis prioratus *Dunelmensis* prouisione congrua et honesta. Conuentus igitur, tanquam inuitus et coactus, estimatis bonis prioratus, et expensis deductis, pro moderata sustentacione prouidit, et assignauit sibi locum de Bello Reditu cum pertinentiis suis, ecclesias de Pitingdon' et Heygton vna cum manerio de Fery. Prouisum est etiam ut maremium ad sustentacionem edificiorum, boscum etiam ad comburendum et omnia estoueria sua de bosco de Aldewod<sup>a</sup> percipiat. Prouisum est etiam ut recipiat qualibet die tria corredia monachorum per celerarium *Dunelmensem*, qui pro tempore fuerit, et vij. lagenas ceruise de refectorio sibi et duobus sociis, lectisternia autem, coopertoria et robas monachorum de camera *Dunelmensi*, prout, dum staret in prioratu, recepit. Sex uero seruientes eius robas et mercedes vna cum pueris prioris *Dunelmensis*, et sicut ipsi pueri, a priore *Dunelmensi*, qui pro tempore fuerit, recipient. Percipiet etiam an[n]uatim vnum doleum v[i]ni de comuna conuentus *Dunelmensis*; habenda et tenenda omnia supradicta, quoad vixerit, integre, libere et quiete sine omni contradictione. Deuitans igitur conuentus ulterius in ista causa procedere sine vniuersali conuiuentia et consilio fratrum ad cellas commorantium, conuocati sunt omnes, qui vellent, deberent et comode possent interesse, per litteras *Bertrami* prioris, sub tali forma:

14 Aug.

'*Bertramus*, prior *Dunelmensis*, &c. Quoniam in ecclesia *Dunelmensi* arduum negocium pre manibus habemus, dei gratia cooperante, per generale consilium confratrum nostrorum perficiendum, mandamus uobis, firmiter iniungentes, quatinus, omni alio negotio omisso, sitis apud Dunelmum in vigilia assumptionis Beate Virginis, adducturi uobiscum fratres discretos et fidedignos, qui debent, uolunt et comode possunt magnis negociis ecclesie *Dunelmensis* tractandis interesse. Insuper et litteras istas omnibus fratribus ostendatis. Valete.'

Congregatis igitur omnibus, qui uoluerunt et comode interesse potuerunt, in vigilia assumptionis Beate Virginis, ingreditur *Bertramus* prior capitulum, et exposuit coram omnibus uoluntatem et causam cedendi; et lecta est quedam bulla, a domino papa episcopo *Dunelmensi* directa, in qua continebatur quod episcopus, admissa cessione ipsius, prouideret eidem et assignaret locum de Bello Reditu cum congrua

et honesta sustentacione de bonis / ipsius prioratus secundum *fo. 78v.* facultates et redditus ipsius. Qua littera prior, ut fatebatur, uti noluit, ne conuentum grauaret, dum episcopus omnia nostra discuteret. Lecta est etiam littera prouisionis eiusdem; lecta est littera a priore ad episcopum mittenda de licencia cedendi, et directa est ad eundem per fratres dominum Andream et dominum Martinum, sigillo *Bertrami* prioris signata, patenter, sub hac forma:

‘Reuerendo patri in Christo &c. Cum xla annis et amplius in diuersis monasterii *Dunelmensis* officiis, et circa frequens prioratus nostri ministerium fere per xiiij. annos fatigati existamus, et corporee uirtutis in nobis lassato vigore sub insidente nobis regiminis mole incipiamus uacillare, non est pro admiracione habendum si, ex diutina fatigacione debiles effecti, anhelemus anxii ad quietem. Nam inbescillitatis proprie conscii, dum infirmati diatim nos perpendamus in negocio accionis, prudenter metuimus ne quid fratrum profectibus ex nostro possit deperire defectu; propter quod ex consilio caritatis inquirimus, ut, cum cedere uoluerimus, a multiplici prelacionis<sup>1</sup> turbacione subducti, in secreta<sup>2</sup> pacate contemplacionis desidia<sup>3</sup> reponamur. Scientes igitur, ut prediximus, onus iamdudum nobis impositum virium nostrarum funditus excedere mensuram, ne sub onere succumbamus, prioratus officium per has litteras nostras patentes in manus sanctitatis uestre resignamus; venerande dominacioni uestre deuote supplicantes, quatinus cessionem nostram benigne uelitis admittere, vt per alium ydoneum uirum loco nostro substituendum, quem conuentus *Dunelmensis* secundum deum canonice elegerit, inde[m]ptitati [*sic*] predictae ecclesie possit prouideri. Valeat reuerenda paternitas uestra semper in domino. Dat’ Dunelmi, in vigilia assumptionis, anno ut supra.’

14 Aug.  
1258.

Quo audito, episcopus, deliberato consilio cum suis, sequenti die, scilicet die assumptionis Beate Virginis, commisit vices suas in hac parte duobus clericis suis, scilicet magistro *Willelmo* de Meru<sup>a</sup> et domino *Iohanni* de Lond’,<sup>b</sup> ut ipsi auctoritate sua cessionem seu resignacionem prioris, ostensa prius rationabili causa, susciperent, sub hac forma:

15 Aug.

‘*Walterus*, dei gratia &c., dilectis filiis &c., salutem, gratiam et benedictionem. Ad admittendam nostro

<sup>1</sup> perlacionis, *MS.*

<sup>3</sup> desidio, *MS.*

<sup>2</sup> secreto, *MS.*

fo. 79.

nomine cessionem seu resignacionem / dilecti in Christo filii domini *Bertrami*, prioris *Dunelmensis*, vobis vices nostras committimus; volentes quod quicquid in hac parte nostra vice et auctoritate ratione preuia duxeritis faciendum robur optineat perpetue firmitatis. In cuius rei testimonium litteras presentes vobis fieri fecimus patentes. Dat' &c.'

15 Aug.

Decret.,  
lib. I,  
tit. ix,  
cap. 10.

Hugh de  
Derlington.

Qui commissarii accedentes Dunelmum eodem die, scilicet assumptionis, adierunt cameram prioris interiorem, et ostenderunt ei quod non leuiter, passim et indiscusse concedende sunt cessiones, sicut in *decretali* de renunciacionibus *Nisi cum pridem* habetur, ubi etiam continentur cause propter quas peti potest cessio et sine quibus non. Vnde, videntes quod rationabili causa cessionem peteret, coram fratribus multis auctoritate episcopi sibi concessa eam ad miserunt, et resignacionem receperunt, et statim predictus prior manu sua propria crucem depinxit seu scripsit in littera resignacionis episcopo directa, in signo quod, absolutus a regimine prioratus, ulteriorem<sup>1</sup> accessum ad eundem, etiam si facti peniteret, de iure [habere] non posset. Predicti ergo clerici, *Willelmus* et *Iohannes*, ex parte episcopi constituerunt custodes monasterii dominum *Hugonem*, tunc suppriorum, in spiritualibus, et dominum *Rogerum* de *Waltham*, tunc constabularium,<sup>a</sup> in temporalibus, et, reli[n]quentes nobis litteram, sigillis suis signatam, in testimonium facti, abcesse runt. Forma autem littere hec est:

15 Aug.  
1258.

‘Memorandum quod die assumptionis Beate Virginis Marie, anno domini M<sup>o</sup>CCLVIII<sup>o</sup>, comparueru[n]t magister *Willelmus* de Meru, rector ecclesie de Riton’, et dominus *Iohannes* de London’, nuncii domini episcopi *Dunelmensis*, coram domino *Bertramo*, priore *Dunelmensi*, deferentes litteras domini episcopi in hec uerba, “*Walterus*, dei gratia” &c, ut supra. Huius igitur auctoritate mandati magister *Willelmus* et dominus *Iohannes* predictam cessionem seu resignacionem in camera domini prioris coram multis confratribus et commonachis *Dunelmensibus* ad miserunt. In cuius rei testimonium presenti scripto predicti nuncii eodem die sigilla sua apposuerunt.’

Quo facto, statutus est dies ad eligendum, scilicet in crastino, quia qui potuerunt et voluerunt presentes fuerunt, et missi sunt tres fratres ad episcopum cum littera capituli ad petendam eligendi licenciam. Licencia igitur a domino episcopo curialiter optenta, in crastino assumptionis Beate

16 Aug.

<sup>1</sup> ult<sup>a</sup>, MS.



Virginis, scilicet xvij<sup>o</sup> / Kallend' Septembris, in die ad electio- fo. 79v.  
nem de priore celebranda[m] statuta, conuenientibus fratri-  
bus omnibus in capitulo, per viam compromissi procedentes,  
inuocata prius spiritus sancti gracia, elegerunt dominum  
Hugonem de Derli[n]gton', tunc suppriorum, in priorem  
ecclesie Dunelmensis.<sup>1</sup>

MCCLX. In vigilia Sancti Laurencii obiit Walterus de A.D. 1260.  
Kirham', episcopus Dunelmensis, apud Houeden, cuius obitus 9 Aug.  
die Mercurii proximo<sup>2</sup> sequente monachis Dunelmensibus de- 11 Aug.  
nunciatus est. Corpus uero eius in crastino assumptionis 16 Aug.  
Dunelmum delatum est, et in octabis Sancti Laurencii, die 17 Aug.  
sequenti, sepultum. Quo facto, sigillum ipsius coram omnibus  
qui aderant in capitulo confractum est per dominum Iohan-  
nem Gylet.<sup>3</sup> Eodem anno electus est Robertus de Stichehill', [Stichell'  
nota.] (3)  
prior de Finchale, in episcopum Dunelmensis ecclesie, pridie  
Kallend' Octobris, scilicet die Sancti Ieronimi presbiteri; 30 Sept.  
confirmatusque est a domino Godefrido, archiepiscopo Eboracensi,  
apud Schireburn' in Elmet, die Sancti Clementis proxi-  
mo sequente; consecratusque est in episcopum ab eodem ? 17 Nov.  
[Consecratio  
Ro.  
Stichelle.] (7)  
archiepiscopo apud Suthewelle, Dominica proxima post  
festum Sancte Scolastice Virginis, scilicet Idus Februarii, 13 Feb.  
1260/I.  
anno prenotato.<sup>4</sup> / <sup>5</sup>

MCCLXIII. Pridie Idus Maii, die Mercurii, super A fo. 80.  
littera, commissum est bellum apud Lewes inter Henricum A.D. 1264.  
quartum, regem Anglie, et Symonem de Monteforti cum aliis 14 May.  
baronibus; captusque est Henricus rex et Edwardus filius  
eius a baronibus cum pluribus aliis; contritusque est exer-  
citus regis in die illa, et barones victoria potiti sunt.<sup>6</sup>

MCCLXV. Pridie Non' Augusti, die Martis, super F A.D. 1265.  
littera, commissum est bellum apud Euesham' inter dictum 4 Aug.  
Henricum, regem Anglie, et barones, in quo corruerunt  
Symon de Monteforti et Henricus filius eius, Hugo Pincerna  
cum maxima parte militum nobilium. Victique sunt barones,  
mirabiliter capti et contriti a regalibus in die illa, et rex  
victoria potitus est. Eodem anno ordinate fuerunt v. pre-  
bende in ecclesia de Houeden', pridie Kall' Maii, per Hugo- 30 April.  
nem precentorem, Raynerum Ebor' et Symundum archidia-  
conos Richemund', canonicos Eboracenses, et per consensum  
capituli Eboracensis, et as[s]ensum et summisionem Hugonis  
prioris et capituli Dunelmensium.<sup>b</sup>

<sup>1</sup> Four lines blank.

<sup>2</sup> proxima, MS.

<sup>3</sup> Fourth hand.

<sup>4</sup> Eight lines blank.

<sup>5</sup> Three lines blank.

<sup>6</sup> Two lines blank.

<sup>7</sup> Third hand.



A.D. 1266.  
15 May.

MCCLXVI. Idus Maii, vigilia Pentecostes, super B littera, initum est bellum apud Cesterfeld' inter regales et barones. Fugeruntque barones coram regalibus, nec tamen aliquis baronum captus uel occisus est.

Eodem anno fuit capitulum generale apud Eboracum, in quo propositum fuit contra *Bertramum* quondam priorem . . . . (*This process against the ex-prior Bertram has been excerpted by Mr. W. A. Pantin, and printed in his Chapters of the English Black Monks (Camden Soc.), i, 244-247.*) . . . . ff. 80v.-81v. . . . effugere ualeatis.<sup>1</sup>

A.D. 1267/8.  
24 Feb.

MCCLXVII. Sexto Kall' Marci ordinauit Walterus Giffard', archiepiscopus *Eboracensis*, ex consensu capituli *Eboracensis* et voluntate et assensu et summissione *Hugonis* prioris et capituli *Dunelmensium* iterum de ecclesia de Houeden.<sup>2 a/</sup>

fo. 82.

A.D. 1269.  
13 Sept.

MCCLXIX. Id' Septembris ordinauit Walterus Giffard', archiepiscopus *Eboracensis*, ex consensu capituli *Eboracensis* et voluntate et assensu *Hugonis* prioris et capituli *Dunelmensium* de vicaria de Estri[n]gton'.<sup>b</sup>

A.D. 1271.

[Eodem anno Edwardus, filius Henrici regis, mense Maii iter arripuit versus Acon].<sup>3 c</sup>

A.D. 1272.

[MCCLXXII. Rex Henricus, die xvj. Nouembris, post lvj. annos et xx. dies coronacionis sue, etatis vero sue lxx., ex hoc seculo migrans ad dominum, apud Westmonasterium decentissime est sepultus].<sup>4</sup>

A.D. 1272.

Cescio  
domini  
*Hugonis*,  
prioris  
*Dunelmensis*.

MCCLXXII.<sup>5</sup> Venerabilis<sup>6</sup> pater *Hugo*, prior *Dunelmensis*, longa et quasi continua infirmitate grauatus, senciens in se vires corporales supra modum deficere, statum suum d[omi]no Roberto de Sthichil',<sup>7</sup> episcopo *Dunelmensi*, multociens intimauit, supplicans attentius, secrete tamen, conuentu id ignorante, ut cessionem suam admitteret; asserens se ad curas et labores, regimini domus incumbentes, ulterius non sufficere. Episcopus uero, interpellacionem suam non acceptans, negocium distulit, et fere per annum protelauit. Tandem, anno gracie M<sup>o</sup>CC<sup>o</sup>LXX<sup>mo</sup> secundo, die Sabbati proxima post festum Sancti Nicholai, misit ad episcopum dominum *Henricum*, sacristam *Dunelmensem*, et magistrum *Adam* de Derli[n]gton'<sup>d</sup> cum litteris de credencia; qui obnixè rogabant epis-

10 Dec.

<sup>1</sup> Five lines blank.

<sup>2</sup> Twelve lines blank.

<sup>3</sup> In second hand, followed by seven lines blank.

<sup>4</sup> In second hand, followed by one line blank.

<sup>5</sup> Om., P. The marginalia are in MS. alone, unless otherwise stated.

<sup>6</sup> Beginning of the version P.

<sup>7</sup> Om. de Sthichil, P.

copum ex parte sua, ut certos diem et locum assignaret, quo conuenire possent, et negocia, de quibus tractauerant, effectui mancipare; dicto tamen sacrista, que essent ista negocia, omnino ignorante. Episcopus igitur, habita longa premeditatione, respondit, 'Per passionem Ihesu Christi, si ipse iurasset et uos omnes de conuentu, aliter prouidebitur antequam fiat. Verumptamen nolo vexare eum propter infirmitatem suam, et ideo, cum uacauerit<sup>1</sup> michi, ueniam ad eum ubicunque fuerit, et tunc cum deliberacione super huiusmodi tractabimus.' Reuersi igitur nuncii, / domino priori renun-  
ciauerunt sic. Et, accepta oportunitate cum eo secretius loquendi, rogabat predictus *Henricus*, ut ostenderet ei negocia pro quibus missi fuerant. Qui cum maxima difficultate tandem sic ait, 'Volo quod tu scias quod nullo modo in officio isto stabo diucius, set omnibus modis cedam ante instans festum nathalis domini. Nolo tamen ut adhuc inde loquaris.' In ebdomada uero sequenti misit apud Dunelmum dominos *Ricardum*, supprior<sup>a</sup>, *Robertum*, priorem de Finchale,<sup>3</sup> <sup>b</sup> *Henricum* [de *Hornecastre*], sacristam,<sup>4</sup> Iohannem de Haxby et Rogerum de Methley, qui statum suum simul et propositum conuentui intimauerunt, obsecrantes simul, ut, cum dictus prior inter tot turbines et uarias mundi procellas tam tempore pacis quam gwerre domum *Dunelmensem* ita strenue rexisset, ex quo modis omnibus propter infirmitatem corporis et debilitatem oneri regiminis, quod per xiiij. annos egregie supportauerat, cedere necesse habuit, patris impotentie ut filii condescenderent, et de prouisione sibi assignanda ita curialiter ordinarent, ut a deo grates et ab hominibus laudes reportarent simul et gracias; presertim quia, licet litteram haberet papalem, episcopo *Dunelmensi* directam de prouisione sibi facienda, noluit ea uti, malens et magis acceptans quantulamcunque porcionem, dummodo competentem, ex eorum assensu et voluntate sibi concessam, quam multo maiorem ex superioris mandato siue potestate absque eorum conniuentia seu uoluntate sibi assignatam. Quibus auditis, fit clamor et gemitus in conuentu, omnibus hec grauiter ferentibus, et de amissione tanti patris, ut decuit, lacrimabiliter conquerentibus.<sup>5</sup> Habitaque collacione ad inuicem, ut laborem, tanto tempore infatigabiliter perpassum,<sup>6</sup> sibi secumque commorantibus<sup>7</sup> in vltimis diebus

fo. 82v.

[Cessio  
Hugonis  
prioris  
tempore  
Roberti de  
Stichell'. J(2)]

25 Dec.

11 Dec.

<sup>1</sup> uocauerit, P.<sup>2</sup> In third hand.<sup>3</sup> Finchalle, P.<sup>4</sup> Om., P.<sup>5</sup> dolentibus, P.<sup>6</sup> perpassum, MS., P.<sup>7</sup> Om., P.

[Pro  
missio.](3)

fo. 83.

23 Dec.

suis etiam in hac vita fructuosum, et dies futuros cum honore, ut tantum patrem decuit, et animi tranquillitate transcurrere,<sup>1</sup> gratis ei decreuerunt ad sustentacionem ipsius<sup>2</sup> et fratrum sibi associandorum ac familie sue de bonis domus congruam et honestam assignare porcionem. Libratoque consilio, concesserunt quod haberet in tota vita sua manerium<sup>4</sup> de Wardeley cum pertinenciis suis, manerium<sup>4</sup> de Muclyg-wik' cum pertinenciis, saluo priori futuro et sibi vestura bosci de Deweshelm',<sup>5</sup> manerium<sup>4</sup> de Wyuestou<sup>6</sup> a cum molendino, pastura et operacionibus manerio debitis, et quod haberet cariagium ad bladum suum de dicto manerio carilandum, ceteris cariagiis domui remanentibus, ecclesiam insuper<sup>7</sup> de Acley et ecclesiam de Estrington' cum / manerio de le Neuland'; et hec ita se uelle, si nulla ratione a proposito<sup>8</sup> suo poterit reuocari, eidem per predictos nuncios remandauerunt. Audito itaque responso conuentus, eodemque multum acceptato, supplicauit domino episcopo per quosdam de suis ad hoc destinatos, ut ad eum acceleraret personaliter uenire. Qui apud Beurepayr' pridie ante vigiliam nathalis domini accedens, audito quod [factum] fuerat et a conuentu prouisum, primo ad instanciam fratrum ibidem existencium rogabat [eum], et precipiendo iniunxit, ne locum suum desereret,<sup>9</sup> predictis fratribus, genibus eius aduolutis, id idem postulanti. Cum autem non proficerent, dixit episcopus se uelle scire qualiter ordinari debuit de prouisione sibi facienda, et quod ipse de assensu conuentus uoluit ordinare sicut et debuit. Misit ergo tres de clericis suis, [videlicet] magistros Alexandrum de Aluerton'<sup>b</sup> et Ricardum de Bradelwelle<sup>c</sup> ac dominum Thomam de Leuesham'<sup>20</sup> d vnacum quibusdam fratribus apud Dunelmum ad inquirendum de conuentu, vtrum sponsionem suam prescriptam ratificarent an non, supplicandumque ex parte sua quod, cum societatem dicti prioris multum amplecteretur et eius consilium ei in multis foret neccessarium, locusque de Mukligwik'<sup>11</sup> a maneri[i]s suis multum distaret, pro amore suo locum illum mutarent pro manerio de Beurepair',<sup>12</sup> qui<sup>13</sup> non erat ita remotus, ut sic commodius et frequencius sese ad inuicem ualerent<sup>14</sup>

<sup>1</sup> This passage is defective in both MSS.

<sup>2</sup> Om., P.

<sup>3</sup> In third hand.

<sup>4</sup> maneriam, P.

<sup>5</sup> Dewyshelm', P.

<sup>6</sup> Wyuistow, P.

<sup>7</sup> igitur, MS., P.

<sup>8</sup> propioto, MS.

<sup>9</sup> deserreret, P.

<sup>10</sup> Leuisham, P.

<sup>11</sup> Muclyswik, P.

<sup>12</sup> Beurepayr', P.

<sup>13</sup> Sic, MS., P.

<sup>14</sup> uolent, MS.



uisitare. Petebat insuper quod ecclesiam de Estri[n]gton' mutarent pro ecclesia de Aluerton', saluo sibi manerio de le Neuland. Responsumque fuit a fratribus quod omnia prius prouisa ab eisdem bene ratificabant et acceptabant, vna cum permutacione dictarum ecclesiarum ad eius instanciam, ex quo ei sic placuit. Verum quia labor ecclesie claustrique *Dunelmensis* grandis est et continuus, aer uero corruptus et inficiens, et ideo fratres multo magis solaciis indigent, quorum maior pars pendet de predicto<sup>1</sup> manerio de Bello Reditu, iccirco illo manerio carere non poterant, nec debuit ex hoc moueri, si placeret ei, prout ei supplicabant per predictos nuncios, maxime cum ei satis<sup>2</sup> constabat tam de statu claustri quam de defectu solaciorum, quibus indigebant in eo commorantes. Reuersique nuncii narrauerunt episcopo et priori ea que audierant; que, ut uidebatur, ambo gratanter tunc acceptabant. Verumptamen dominus episcopus cessionem suam adhuc admittere non decreuit, set instanter elaborabat cum fratribus, admonendo, implorando, inperando, ut adhuc per aliquantum / tempus in officio suo staret. Et cum non proficeret, in crastino, videlicet vigilia nathalis domini, uersus Aucland recessit, nullo alio de dicto negocio facto quod sciri potuit aut videri in publico; et prior Dunelmum venit. In die uero Sancti Stephani misit prior ad eum<sup>3</sup> fratrem *Henricum* de *Hornecastre* et magistrum *Adam* de *Derlington*' ad cessionem suam precise petendam; curamque domus in manus ipsius episcopi resignauit per litteram suam patentem, cuius tenor talis est:

fo. 83v.  
24 Dec.

26 Dec.

' Reuerendo patri in Christo<sup>4</sup> &c., suus, si placet, humilis et deuotus *Hugo*, prior *Dunelmensis* ecclesie, salutem, et tam deuotam quam debitam cum omni reuerencia obedienciam. Quanta corporis angustia, quot quibusque laboribus ac tediis, infirmitati nostre importabilibus, commissi nobis regiminis onus supra virium nostrarum quantitatem ad vestre paternitatis iussionem et magnam fratrum instanciam per multum temporis inuite sustinuimus, nouit ille qui corda scrutatur et renes, nec vos latere debet, cum cor nostrum ac statum tanquam patri ac domino karissimo frequenter vobis aperuimus. Verum, quia pondus egritudinis nos indies superonerat, et aggrauat in tantum, quod corporee uirtutis, in nobis iam deficiente vigore, inbescillitas nos ad supradicti regiminis onus ulterius supportan-

Littera  
cessionis.

<sup>1</sup> pars de predicto pendet, P.

<sup>2</sup> satis ei, P.

<sup>3</sup> episcopum

<sup>4</sup> Add domino R., dei gracia Dun' episcopo, P.

dum omnino reddit impotentes, neccessario compellimur tante sarcine molem deponere, ne, sub onere pressi, periculose succumbamus, et quibus preesse deberemus ad commodum et salutem nobiscum, quod absit, ad ruinam trahamus et interitum. Quapropter officium prioratus *Dunelmensis*, cuius onus, ut prediximus, virium nostrarum mensuram funditus excedere perpendimus, per has litteras nostras patentes in manus sancte paternitatis uestre resignamus; venerande dominacionis vestre uestigiis prouoluti, quanta possumus precum instancia attentius exorantes, quatinus, si placet, cessionem nostram benigne uelitis admittere, ut per alium virum ydoneum, quem conuentus eiusdem loci secundum deum canonice elegerit, yndem-  
ptitati<sup>1</sup> predicte domus valeat prouideri. Valeat &c. Dat' &c.'

Exaccio  
professionis.

fo. 84.

Inspecta igitur littera, et habito tractatu cum clericis suis, iussit eam in thesauro poni<sup>2</sup> et saluo custodiri. Vnde nuncii, ad eum accedentes, petebant litteram responsalem de cessione admissa, vel quod aliquem de suis Dunelmum mitteret,<sup>3</sup> qui cessionem admitteret nomine suo. Qui circumspectiens iussit omnes egredi preter ipsos et clericos suos, et, residentibus omnibus coram ipso, sacristam sic affatur, 'Ego sum episcopus uester, et multum admiror de uobis quod uos paruipenditis me, et mandata mea contempnit; nec uultis michi facere quod debetis. Si alius esset loco meo non essetis ausi ita resistere ei, set faceretis omnia que illi<sup>4</sup> placerent.' Et ille, 'Certe, domine, salua reuerencia uestra, minus bene presumitur de nobis, et cecus, / quam deberetis, intelligitis. Nunquam enim contempsimus uos aut mandata uestra; set semper parati fuimus uobis obedire tamquam ordinario nostro, prout debuimus, in licitis et honestis, et maiorem uobis exhibere reuerenciam quam alicui alii.' 'Certe,' ait, 'hoc falsissimum est, quoniam uos tenemini profiteri coram me, et multociens uos monui ad hoc faciendum tam per litteras quam<sup>5</sup> personas ad hoc destinatas; set<sup>6</sup> semper inobedientes fuistis et adhuc estis.' Et sacrista, 'Domine, uos bene scitis quod ob aliam causam venimus, et preterea ego solus sum hic de conuentu, qui eos non possum obligare uel pro omnibus respondere. Verumptamen certus sum quod parati sunt facere uobis omnia que facere debent; et ad hoc,

<sup>1</sup> ydeptitati, P.

<sup>2</sup> reponi, P.

<sup>3</sup> mitt. Dun', P.

<sup>4</sup> ei, P.

<sup>5</sup> Add per, P.

<sup>6</sup> et, P.



quod dicitis conuentum multociens fuisse monitum, dico nobis secure, quod nunquam fuit monitus, quod ego sciuerim uel audierim, per scripta uel personas ad hoc destinatas, ut dicitis.' Ille uero, excandescens et uehementer iratus, ait, 'Quid dicis tu? Ego bene probabo ammoniciones factas tam per priorem vestrum quam per monachos, per quos litteras meas destinaui. Creditis vos habere priorem de monacho non professo? Certe nunquam.' Factaque fuit altercacio magna inter ipsum sacristam et clericos episcopi, illis asserentibus et tam per iura quam per consuetudinem in omnibus ecclesiis, ubi priores subsunt episcopis, approbatam et optentam, quod prior nullius professionem admittere potuit; illo econtra dicente illa iura et consuetudinem predictam in ecclesia *Dunelmensi* non teneri, eo quod prior *Dunelmensis* iure speciali munitus erat, habens omnes dignitates abbatis, omnia iura et officia; et cum sit abbatis officium monachorum professionem admittere, bene potuit et debuit, qui nomine tantum prior censebatur, et vice abbatis fungebatur, in ecclesia *Dunelmensi* professionem monachorum admittere; et in tali possessione erat ac extitit a tempore cuius non exstat memoria. Ipse uero episcopus fatebatur, quod prius debebant monachi coram priore profiteri in capitulo, et postea coram episcopo in ecclesia, et accipere ab eo sole[m]nem benedictionem.<sup>a</sup> Et quia ibi dictum erat quod conuentus non erat monitus, in crastino mane misit apud Dunelmum fratrem *Alanum* de Clif, magistros *Alexandrum* de Aluer-ton' et *Ricardum* de Bradewelle<sup>1</sup> et dominum *Thomam* de Leuesham',<sup>2</sup> ut eos monerent et ad hoc inducerent. Qui, uocatis omnibus fratribus in camera prioris, exposuerunt negocium suum coram eis, rogantes et admonentes, quod, cum tam ex consuetudine optenta ex tempore multorum predecessorum istius episcopi, quam etiam iure et conuencione inter episcopum et capitulum firmata<sup>b</sup> tenerentur coram episcopo profiteri, non recusarent hoc facere; asserentes nichil eis ex hoc posse decrescere aut episcopo accrescere, nec ipsum hoc ob aliam causam petere, nisi solummodo propter salutem animarum eorum et sue, et, si hoc facerent, certi erant quod inueni[r]ent<sup>3</sup> eum in omnibus / agendis suis propicium. Responderunt ergo fratres se uelle super hoc tractare, et ex consulto respondere. Amotis igitur<sup>4</sup> nunciis, clericisque suis aduocatis, qui tunc domi presentes aderant, super hoc diu-

27 Dec.

fo. 84v.

<sup>1</sup> Braddewelle, *P.*<sup>2</sup> Leuisham', *P.*<sup>3</sup> inuenient, *MS.*, *P.*<sup>4</sup> que, *P.*

cuis tractatum habuerunt, prouisoque responso, vocauerunt nuncios, et dixerunt se promptos existere et paratos ad faciendam episcopo omnia que facere debebant, et conuencionem inter eos<sup>1</sup> factam, quantum in ipsis erat, obseruare. Et quia ibidem continebatur quod, post professionem coram priore factam, tenebantur eam recitare coram episcopo, et ab eo sole[m]pnem benedictionem accipere, hoc facere concesserunt, dummodo formam in scripto contentam non excederent nec mutarent; et hoc ei uoluerunt mandare per suos. Quo audito, nuncii gaudentes recesserunt, et missi fuerunt cum eis ad hec et alia sub forma preuisa episcopo nuncianda fratres Rogerus de Metheley et Henricus de Hor[ne]cast' et Willelmus de Gretham' et magister [Adam]<sup>2</sup> de Derli[n]gton'; qui, salutantes episcopum ex parte conuentus, dicebant omnes fratres concorditer uelle professionem suam recitare secundum formam debitam. Set, quia audierunt quidam quod uoluntas et propositum eius talis erat, quod ipsi<sup>3</sup> ingrederentur chorum non cucullati, et ibi ab eo induerentur coram plebe, et sic per triduum velata facie incederent, quasi nulla esset aut inanis eorum professio coram priore facta, hoc nullo modo facere uoluerunt, set formam obseruare in littera conuencionali contentam, et ab illa nullatenus recedere; multumque supplicabant ei quod, sicut ipsi ea, que ad ipsos pertinebant, facere parati erant, et conuencionem ex integro obseruare, ipse articulos ex parte sua<sup>4</sup> omissos corrigere faceret, et de cetero obseruare. Qui subridens ait, 'Si apponeretur michi ferculum delicatum absque condimento, non omnino omitterem propter defectum condimenti, quin bene comederem; set, si condimentum haberem cum ferculo michi appositum, melius michi saperet et libencius ederem. Vos uultis habere ferculum, set condimentum respuitis; et, ex quo uobis sic placet, satis michi sufficit, et bene contentus sum. Veniemus in crastinum apud Dunelmum, negocium illud per dei gratiam incepturi, et ibidem moram facturi quousque illud terminauerimus. Oportet ergo quod cras mane acceleretis domum, et preparetis xiiij. uel xv. uel quot expedire uideritis de senioribus, mediocribus et iunioribus, qui faciant, prout locuti estis'; et, ut uidebatur, bene contentus fuit in hac forma tunc. In crastinum quidem in aurora diei uocauit nuncios predictos coram clericis suis in camera sua, et residens sic ait, 'De professione uestra recitanda coram

28 Dec.

<sup>1</sup> ipsos, *P.*<sup>2</sup> *Om.*, *MS.*; *A. inserted, P.*<sup>3</sup> ipse, *MS.*<sup>4</sup> sua parte, *P.*

nobis hesterno die nescio quam formam nec ubi obseruatam [obtulistis],<sup>1</sup> et quod ego uenirem apud Dunelmum propter illam formam non uideo rationem. Vt quid enim starem / ad altare, et facerem partem officii mei coram plebe, et *fo. 85.* partem omitterem inexpletam, derisio potius esset dicenda quam professio. Et ideo, si uultis facere prout continetur in benedictionali, dicatis michi; sin autem, nichil est quod petitis, nec ibi pedem portabo, quia forma uestra nulla est, et contra formam uniuersalis ecclesie.' Et cum esset responsum quod ipsi nichil ulterius poterant facere nec dicere, nisi quod eis fuerat iniunctum, ea etiam, que ipse postulabat, non erant de substantia professionis, set solum solempne uotum, quod in professione coram priore emiserant, quod tantum iterare secundum conuencionem tenebantur, ait, 'Verum est quod non sunt de substantia professionis; sunt tamen de bene esse et honeste esse, et quod ego omittam ea, que sunt honestatis, maxime in hiis, que ad officium meum spectant, hoc nullo modo faciam. Et nouit deus quod nichil exigo a uobis [nisi propter]<sup>2</sup> puritatem consciencie uestre et mee, et quod sitis habiles et quales esse debetis. Redeatis ergo, et ego mittam uobiscum dominum *Ricardum* de Barneby, confratrem vestrum, et per ipsum remandetis michi uoluntatem eorum. Et quidem bene scio unde prouenit illud impedimentum: superbia seniorum facit totum. Iuuenes enim faciunt quicquid eis fuerit iniunctum; set seniores non permittunt. Isti<sup>3</sup> similes sunt magnatibus pluribus huius regni, qui, quando sunt excommunicati pro transgressione sua, et debent satisfacere ecclesie, antequam absoluantur, uolunt quod satisfaccio ordinetur secundum uoluntatem propriam, et nullo modo stare iudicio<sup>4</sup> ecclesie; set, si aliud fuerit eis iniunctum contra uoluntatem propriam, dicunt quod libencius stabunt in excommunicatione toto tempore uite sue, quam paciantur despectum corporis. Et hoc habent a diabolo, quia homo christianus debet semper uelle que deus uult, et honor est omni christiano viuere et facere secundum statuta ecclesie, et, si monachus<sup>5</sup> esset, coram toto mundo honor esset ei ea facere que ad ordinem spectant.' Et ait quidam de clericis suis, 'Certe, domine, vos debetis deferre senioribus.' Et ille, quasi indignanter, 'Et ego dispensabam cum senioribus et aliis, qui sunt in conuentu, quod ipsi<sup>6</sup>

<sup>1</sup> *Om., MS., P.*

<sup>2</sup> nisi propter, *Graystones, p. 51;*  
nisi, *P.*

<sup>3</sup> ipsi, *P.*

<sup>4</sup> iudicie, *P.*

<sup>5</sup> *Sic, P;* *Mo<sup>e</sup>us, MS.;* excommu-  
nicatus, *Graystones, ib.*

<sup>6</sup> ipse, *MS.*



ueniant in habitu; ipsi tantum, qui sunt in custodia, faciant sicut predictum est.<sup>1</sup> Et omnes clerici tunc clamauerunt quod satisfacit pro conuentu dominus episcopus, et bene debent facere ea que exigit. Nuncii responderunt se nichil ulterius posse facere nec<sup>1</sup> dicere, et sic recesserunt, et dominus Ricardus cum eis, premissa fratribus nuncianda, et responsum eorum episcopo referendum.

fo. 85v.

Congregatis igitur fratribus post reditum nunciorum, aperuerunt eis ea que audierant; qui, in maxima parte a uoluntate pristina auersi, dicebant se nec ratum nec firmum habere mandatum domino episcopo directum, nec se pridie eidem mandato assensum prebuisse, licet aperte non reclamauerint; immo magis mori uellent, quam aliquo modo professionem coram eo recitare. Quidam uero ex eis dicebant, quod adeo bene tangit eos, / qui in diuersis cellis commorantur infra regnum et extra, sicut eos qui domi sunt, et ideo nec poterant nec debebant sine eis<sup>2</sup> respondere. Et quoniam post prandium minime poterant concordare<sup>3</sup> super responso faciendo, dixerunt dicto *Ricardo*, quod uoluerunt in crastinum per aliquos de suis respondere. Post uesperas iterum congregati, super premissis tra[c]tabant ad inuicem usque infra noctem; ubi quidam dicebant se ignorare utrum haberent capud an non, et sine capite non tenebantur respondere. Alii dicebant, quod, licet haberent priorem, non tamen respondere ualebant sine fratribus qui extra morabantur. Post matutinas iterum congregatis omnibus, consultum fuit<sup>4</sup> eis a quibusdam propter uaria pericula, que imminebant, quod omnes adirent priorem, et instanter supplicarent ei, quod staret in officio suo donec dom[u]i melius prouideretur; quod et factum est. Omnesque prostrati coram eo, fusis lacrimis postulabant, ut non relinqueret eos in [tali] statu, set adhuc staret in officio suo. Qui flens, et eis compaciens, quantum in ipso fuit, annuit petitioni eorum, et se stare promisit, dummodo ipsi procurarent erga episcopum quod ipse hoc ei iniungeret, quia non erat in eo stare uel non stare, eo quod episcopus litteram cessionis ipsius penes se haberet, et ignorabat vtrum cessionem suam admitteret, nec ne. Fratres igitur, nimium gratulati, destinauerunt ix. uel x. fratres cum suppiore ad episcopum cum litteris de credencia, sigillo capituli signatis, qui eum ex parte vniuersitatis

<sup>1</sup> aut, *P*.

<sup>2</sup> eos, *MS*.

<sup>3</sup> conuenire, concordare *interlined*, *MS*.

<sup>4</sup> fuis, *MS*.

attencius exorabant, quatinus pro<sup>1</sup> deo et amore Sancti Cuthberti partes suas cum eis interponeret cum effectu, ut ipse in officio suo staret, et, si preces et amoniciones eum ad hoc inducere minime ualerent, ei in uirtute sancte obediencie iniungeret, ne locum suum desereret. Et cum assererent securos fore de gracia optinenda, dummodo se cum effectu intromitteret, promisit se omnem diligenciam circa hoc adhibiturum, et ad negocium maturandum promisit se in crastinum apud Beurepayr uenturum; ubi ei occurrit prior cum 29 Dec. predictis fratribus et pluribus aliis. Quibus in camera coram eo congregatis, intimauit dicto priori uoluntatem et petitionem fratrum suorum, sepius ei inculcans, quantum eis tenebatur pro ostensione intime affectus,<sup>2</sup> quam erga eum habebant, et quid quantumque honoris ei accrescere potuit ex labore et amore precipuo, quem erga eum habebant, ut mundus perpendere potuit, si / eorum uoluntati consentiret; rogans fo. 86. et admonens, ut tantum honorem non desereret, set locum suum teneret. Et cum ipse causas sue infirmitatis preterderet, et hoc se facere minime posse reclamaret, in uirtute obediencie, qua<sup>3</sup> sibi tenebatur, eidem iniunxit ut hoc faceret. Qui suspirans ait, 'Ex quo sic oportet, et vos omnibus modis uultis ut ita fiat, bene erit.' Et sic adueniente tempore ad mensam accesserunt simul pransuri, satis iocundas facies prebentes in mensa. Post prandium uero magistri Alexander et R.,<sup>a</sup> missi ab episcopo, et accito suppriorum cum fratribus in capella Sancte Katerine,<sup>b</sup> clausoque hostio, proposuerunt questionem de professione episcopo faciendam; adicientes quod multum mirabatur dominus episcopus de conuentu *Dunelmensi*, quod cum multos inter se haberent prudentes et discretos, uel saltem habere deberent, prout ipse preteractis temporibus<sup>4</sup> sciuit et inspexit, mirum fuit quod nichil cogitarent de mandato sibi ab eisdem directo per dominum *Ricardum* de Barneby, uidelicet quod uoluerunt respondere ei per nuncios proprios tercia die precedenti ad articulos de professione sua faciendam sibi<sup>5</sup> propositos, maxime cum plures et excellenciores domus cum ipso per biduum colloquium habuissent et super uariis rebus tractatum, et nullam inde mencionem faciebant, unde non potuit ei ad plenum constare, aut alia de causa quam nominare uolebant. Responsumque fuit eis, quod nichil in hoc actum fuit aut

<sup>1</sup> per, *MS.*<sup>2</sup> effectus, *MS.*, *P.*<sup>3</sup> quo, *MS.*, *P.* ; inserted, *P.*<sup>4</sup> temp. preter., *P.*<sup>5</sup> sicut, *P.*



fo. 86v.

30 Dec.

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omissum ex contemptu, set ignorabant utrum capud haberent an non, sicut et adhuc incerti erant, et sine capite nichil facere poterant. Preterea mandauerant ei, quod parati erant seruare formam in scripto conuencionali contentam, de qua dominus episcopus minime contentus erat; et ad ea, que ulterius expetebat, respondere non poterant nec habebant sine illis, quos ipsa res tangit, qui in uariis et remotis partibus commorantur. Postquam hec renunciata sunt episcopo, aliquantulum grauiter accepit, et cum accederent ad eum fratres domum reuersuri benedictionem petentes, quasi indignanter dixit, 'Ego proposui uobis viam salutis, et multum uellem ut<sup>1</sup> per eam incederetis, et, in quantum possum, nisus sum uos ad eam trahere; vos pretenditis friuolas excusaciones, dicentes quod ignoratis utrum habetis capud uel non. Et ego denuncio uobis, quod habetis priorem'; et, respiciens priorem, 'Ecce,' inquit, 'prior uester. Nisi ego essem, nunquam staret uobiscum vno die. Ego pecii a uobis debitum in quo michi tenemini; si uultis soluere, soluatis, / sin autem, ego nunquam a uobis illud amodo expetam; set super capita uestra sit.' Sero quidem ante cubitum prioris supplicabant quidam de fratribus ei, ut diceret eis omnino propositum suum; et, cum instarent diucius, ut staret loco suo propter<sup>2</sup> pericula et da[m]pna, que ostendebant ei domui posse euenire per ipsius cessionem, in fine respondit, 'Et si sic oportet; ego stabo usque ad mediam quadragesimam, uel forte usque ad pasca; set ulterius pro<sup>3</sup> nullo mortali.' Et responsum fuit ei a quodam, 'Si nullo modo potest aliter fieri, melius est prelium inchoatum, prout deus prouiderit, terminare, quam protelatum de nouo post breue tempus resumere, et forte deterius ac difficilius consummare.' Et ipse respondit, 'Vtique sic expedit, quia omnia bene fient per gratiam dei.'<sup>4</sup>

In crastinum autem ante recessum episcopi dixit ei precise quod nullo modo stare potuit nec uoluit. Vnde episcopus dixit, [quod,] ex quo aliter esse non potuit, oportuit cogitare de prouisione sibi facienda. Igitur transacta ebdomada sequenti, Sabbato uidelicet in crastino ephiphanie, venit episcopus Dunelmum, cessionem prioris in crastinum admissurus; et statim, antequam castrum ingrederetur, adiit priorem, qui erat in camera sua, et, exclusis secularibus, coram multis fratribus cum magna instancia hortabatur eum, ut dimitteret propositum suum; et, cum nullo modo proficeret, ait, 'In

<sup>1</sup> quod, P.<sup>2</sup> Repeated, P.<sup>3</sup> per, P.<sup>4</sup> dei gratiam, P.

crastinum expeditur negocium.' In recessu suo uersus castrum iussit sibi dari in cedula ea que assignari ei debebant in prouisione facienda; et, cum oblata ei essent superius anotata, recepit ea et fecit ea notari in scripto duplicato, adiciens sine sciencia prioris, ut ipse in crastino affirmauit, vetus uiuarium de Ketton'. Ipso die uocauit aliquos fratres, et, secretius eos alloquens, ostendit eis librum benedictionalem et omnia que agenda sunt in professione solempni, et, quanta potuit instancia, nitebatur eos inducere ad professionem faciendam, iuramento affirmans se hoc ob aliam causam non expetere, nisi ob honorem eorum. Et cum essent sine priore, et necesse haberent in breui aliquem eligere in priorem, si omnes se ad hoc habilitare nollent, uoluit tamen quod v. uel vi. uel aliqua pars se ad hoc habilitarent;<sup>1</sup> nec posset aliquis esse habilis ad hoc nisi professus. Et cum [non] haberet responsum sibi placens, dimisit eos. In crastino,<sup>2</sup> uidelicet vj. Id' Ianuarii, post magnam missam ingressus capitulum cum clericis suis et multis aliis, iussit vocari priorem / et conuentum. Quibus ingressis, primo fecit legi<sup>3</sup> ordinationem, quam fecerat de manerio de Greham' cum pertinentiis, et signari sigillo suo et sigillo<sup>4</sup> capituli, littera duplicata. Quo facto, magister Ricardus de Bradewelle<sup>5</sup> iussu episcopi legit litteram, sigillo episcopi signatam, de admissione cessionis; cuius tenor talis erat:

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fo. 87.  
[Cessio  
Hugonis de  
Derlington'  
prioris  
coram  
Roberto de  
Stychill',  
episcopo  
Dunelm'.](6)

Littera  
cessionis.(7)

*Robertus*, dei gracia *Dunelmensis* episcopus, dilecto ac speciali in Christo filio domino *Hugoni* de Derlington', loci eiusdem priori, salutem, gratiam et benedictionem. Litteras vestre cessionis, signo vestro signatas, nobis ex parte uestra porrectas et traditas, recepimus in hec uerba, [Venerabili in Christo patri &c.], ut supra ad hoc signum 4.<sup>8</sup> Quia uero absque nostra permissione liberum in hac [parte] propositum sine iuris offensa optinere non poteritis, ac alias cedendi licenciam uobis, cum magna<sup>9</sup> instancia postulantibus, certis ac variis rationibus intelleximus non fuisse concessam, considerantes tamen quod vos in postulando cedendi<sup>10</sup> licenciam institistis et adhuc instatis incessanter, debilitatem corporis, que vos officium uestrum ac

<sup>1</sup> Add seu rec, P.

<sup>2</sup> Add uero, P.

<sup>3</sup> legi fecit, P.

<sup>4</sup> Om., P.

<sup>5</sup> Bradewel', P.

<sup>6</sup> In third hand.

<sup>7</sup> This, and most of the marginal

notes, are written in an ink darker than that of the text. They appear, nevertheless, to be contemporary.

<sup>8</sup> o-o, P; omitted above in both MSS.

<sup>9</sup> maxima, P.

<sup>10</sup> ? cecendi, MS.

curam regiminis uobis commissi, quod non sine mentis amaritudine et cordis dolore referimus, excercere non permittit, pretendentes causam, quam nimis esse veram congruimus, nec vos de iure in locum vestrum de cetero uiolenter retinere possumus,<sup>1</sup> nos, habito tractatu cum viris discretis in premissis, cessionem vestram in nomine domini, licet inuiti, admittimus, vos a cura regiminis dicti prioratus penitus absoluentes; de competenti sustentacione, uobis de bonis dicti prioratus vestro perpetuo prouidenda, de consensu conuentus specialiter potestate nobis reseruati. In huius testimonium &c. Dat' &c. A[n]no gracie &c., pontificatus nostri anno xij.

28 Dec.

Et ueritas talis fuit, quod data illius littere loquebatur de die Sanctorum Innocencium, vnde noluit eam tunc tradere de manu sua, nec alicui ostendere nisi speciali; et postea mutauit eam, et aliam signari fecit de data illius diei. Lecta igitur admissione, prior surrexit de sede sua, et, pedibus episcopi prouolutus, regratiabatur ei genibus flexis, et sic recessit ex parte dextra, et sedit iuxta conuentum. Hoc facto, iussu episcopi recitata sunt duo instrumenta, prouisionem suam continencia, que tamen ambo eiusdem sunt tenoris. Ante recitacionem tamen dixit episcopus, quod ipse sine<sup>2</sup> sciencia ipsorum et etiam prioris adauserat prouisioni eorum viuarium de Ketton', rogans, ut ipsi factum suum illud ratificarent; quod quidem gratanter annuerunt. Tenor uero predictorum instrumentorum talis est:

Littera  
prouisionis.  
fo. 87v.

Gal. VI. 2.

' Robertus, permissione diuina episcopus *Dunelmensis*, dilecto sibi in Christo filio Hugoni, / priori ecclesie *Dunelmensis*, salutem, graciam et benediccionem. Illorum quieti precipue credimus insistendum, qui sibi labores uoluntarios elegerunt, ut quietem aliis prepararent. Et cum *onera* proximorum *alter alterius* portare ex precepto dominico teneamur, si *legem Christi* cupimus adimplere, illorum supportacioni merito credimus insistendum, qui aliis in suis neccessitatibus misericorditer, fortiter et infatigabiliter supportarunt. Sane porrecta nobis tua peticio continebat, quod, cum tu, per xxx. annos continuos supportans iugum professionis monastice in monasterio *Dunelmensi*, iam per xiiij. annos inter seuiantis mundi turbinas et procellas prioratus ibidem fungens officio, supportacione huius sarcine fatigatus, atque tot et tantis

<sup>1</sup> *Om. with gap. P,*<sup>2</sup> *Inserted in ? another hand, P.*



fatigatus laboribus, demum infirmitate graui et incurabili, ut creditur, sis confectus, adeo ut iminenti oneri fere succumbens, te decetero impotentem et insufficientem asseras ad regimen prioratus, cessionem tuam admittere, et tibi tuisque sociis seu fratribus, tecum uicturis, atque honeste familie ad subministranda vite neccessaria iuxta tante<sup>1</sup> persone condiciones et merita de facultatibus monasterii prouidere misericorditer curaremus. Nos uero, etsi sit nobis triste quod loquimur et flebile atque durum concedere quod urgemur, ne tamen, te decetero prioratus regimini insistente, tua impotencia, quod tu etiam merito reformidas, in proprium necnon et tibi commissi gregis dispendium ualeat redundare, laborum tuorum requiem tibi parare et impotencie tue tuisque canis parcere cupientes, predictis de causis<sup>2</sup> tuis annuentes precibus, tuam<sup>3</sup> admittimus cessionem, te a cura seu uinculis<sup>4</sup> prioratus ipsius, quo actenus tenebaris obnoxius, penitus absoluentes. Tuam quoque a die ingressus tui in ipso monasterio conuersacionem absque nota laudabilem, onera etiam quasi importabilia, que indefesso studio et iugi uigilancia pro utilitate et direccione ipsius monasterii tuis alligasti humeris baiulanda, necnon et labores eximios et ingentes, efficaces et vtiles, quibus seu per quos ipsum monasterium in spiritualibus et temporalibus ultra omnes predecessores tuos mirabiliter augmentasti, cum diligencia aduertentes,<sup>5</sup> attendentes nichilominus equum esse agricolam de suis fructibus debere suscipere, et dignum esse mercennarium *sua mercede*, iustum esse decreuimus, ut tibi et tuis sociis seu fratribus, tecum uicturis, congrua porcio atque sufficiens iuxta tua preclara merita pro sustentacione honesta, quoad uixeris, assignetur. / Estimatis igitur facultatibus ad ipsum monasterium spectantibus, bonis etiam ponderatis, et diligenter consideratis que ipsi monasterio per tuam solerciam et diligentiam tuis temporibus excreuerunt, habito etiam diligenti tractatu cum fratribus et commonachis tuis, quos vires ipsius monasterii plenius nosse<sup>6</sup> congnouimus, nobis etiam assidentibus litteratis uiris, prouidis et honestis, de expresso<sup>7</sup> consensu et vnanimi uoluntate tocius conuentus super hiis specialiter requisito,<sup>8</sup> pro sustenta-

Luc. X. 7.

fo. 88.

<sup>1</sup> tue, P.<sup>2</sup> Add tuam, P.<sup>3</sup> Om., P.<sup>4</sup> uinculo, P.<sup>5</sup> aduertantes, P.<sup>6</sup> nosce, MS., P.<sup>7</sup> expressa, MS., P.<sup>8</sup> requisita, MS., P.

cione moderata, congrua et honesta ordinamus, prouide-  
mus et tibi, quoad uixeris, assignamus omnes et singulas  
decimas garbarum tocius parochie de Aluerton, Eboracen-  
sis diocesis, cum domibus de la<sup>1</sup> Neuland iuxta Estri[n]g-  
ton',<sup>2</sup> et omnes et singulas decimas garbarum tocius paro-  
chie de Acley, *Dunelmensis* diocesis, necnon et manerium  
de Wiuestow cum molendino eiusdem uille et pastura et  
cum operacionibus debitis manerio, et quod plenum habeas  
cariagium ad bladum cariandum quod crescit in dominico  
eiusdem loci, ceteris cariagiis domui *Dunelmensi* remanen-  
tibus; loca insuper de Mukligwic et [de] Wardeley, con-  
te[m]placioni congrua et quieti, que tu non absque magnis  
laboribus edificasti, cum pastura et omnibus eorum pert-  
inenciis et utilitatibus, vna cum veteri viuario de Ketton',  
tibi et tuis vsibus assignamus; ita quod prior *Dunelmensis*,  
qui pro tempore fuerit, de boscis dictorum locorum, salua  
tibi, ut prediximus, pastura, ordinet et percipiat, prout  
domui<sup>3</sup> *Dunelmensi* viderit expedire. Volumus etiam, ut  
bladum, quod crescit apud Wardeley, ad molendinum de  
Hethewrth libere et sine multura molere possis; de bosco  
uero de la<sup>4</sup> Hayng' ad edificacionem<sup>5</sup> tantum, et de veteri  
bosco de Hewrth'<sup>6</sup> ad comburendum et ad alia tibi neces-  
saria percipias. Et, ut hec<sup>7</sup> nostra ordinacio, prouisio et  
assignacio tuo perpetuo robur optineat firmitatis, presens  
scriptum sigilli nostri munimine vna cum sigillo capituli  
*Dunelmensis* de expressa et vnanimi uoluntate tocius con-  
uentus fecimus communiri. Dat' et act' Dunelmi, vj. Id'  
Ianuarii, anno domini M<sup>o</sup>CC<sup>mo</sup>LXXII<sup>o</sup>.

8 Jan.  
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Lectis igitur instrumentis hiis, et sigillis episcopi et capituli  
signatis, tradita sunt dicto domino *Hugoni*, quondam priori;  
et statim surrexit quidam de fratribus, et ait domino epis-  
copo, 'Domine, multum regratiamur uobis de dileccione,  
quam habuistis et habetis erga nos; et quoniam paterna cari-  
tate, ut bene intelleximus, dilexistis nos ab inicio, restat ut  
nos in finem diligatis. Nunc enim primo dilectione uestra  
et auxilio indigemus, et ideo supplicamus pro amore / Ihesu  
Christi, ut nos tanquam pater filios tueamini, et ita consulatis  
et foueatis, ut a deo et mundo gracias reportare possitis et  
honorem.' Qui surgens, in surgendo ait, 'Ego multa mala

Joan' X111, 1

fo. 88v.

<sup>1</sup> Sic, MS., P.

<sup>2</sup> Hestringtona, P.

<sup>3</sup> domi, P.

<sup>4</sup> le, P.

<sup>5</sup> edificandum, P.

<sup>6</sup> Hethewrth, P.

<sup>7</sup> Om., P.



perpessus sum et ignominiam ac despectum supra omnes predecessores meos; et ego habeo emendas, quando dominus uoluerit'; et sic recessit apud Beurepayr', vbi propriis expensis hospitabatur, nisi quod multa ibi transmissa fuerunt, vna cum priore, qui secum ibidem pernoctauit. Statim post recessum ipsius ab ecclesia, uix portam exierat, et ecce senescallus aduenit, ducens secum dominum *Willelmum* de Wyteby,<sup>a</sup> constabularium castri, et, aduocans quosdam de officialibus domus, ait, 'Dominus meus, episcopus, dominum istum mittit ad uos, quem constituit hic loco sui custodem domus istius. Vnde uobis iniungo et aliis, qui curam domus habent, quod ei sitis intendentes, tanquam posito hic ex parte domini mei.' Cui sic erat responsum: 'Credimus quod dominus episcopus bene nouit modos<sup>1</sup> istius domus et libertates, et quod nunquam solebat aliquis episcopus tempore uacacionis talem ponere custodem, cui intenderent uel obdissent officiales domus; set solummodo clericum habere solebant episcopi, uel forte duos, qui cameram sibi habebant deliberatam; sibi appositis in mensa et alibi contenti erant; omnibus de domo solacio erant, non oneri; ad tuicionem domus solummodo positi, non ad alicuius potestatis exercitium. Nec credimus quod dominus episcopus uelit a nobis aliquas nouas exactiones exigere aut inusitata<sup>2</sup> precipere. Et si iste<sup>3</sup> dominus modo consueto et vsitato uenit, bene venerit; et magis contenti sumus de eo quam de alio. Rogamusque uos, ne aliquid extra morem consuetum faciatis.' Et senescallus, 'Nichil agam,' inquit, 'nisi quod pertinet ad officium meum; et quod agere debeo, non audeo pretermittere; et ideo erunt in pace usque in crastinum, et tunc veniam ad uos mane.' Die Lune circa horam primam venit senescallus Dunelmum, et, aduocatis suppriori domus, priore de Finchale<sup>4</sup> <sup>b</sup> et officialibus, qui tunc domi erant, residens in aula cum eis, iussit venire coram eo marescallos, ianitores et omnes alios, qui curam qualemcunque infra domum haberent. Cumque esset quesitum ab eo ad quid, / respondit, <sup>fo. 89.</sup> 'Domus ista in custodia est domini mei, et ideo uolo scire qui debeant curam illius agere. Amisistis enim<sup>5</sup> qui debeant<sup>6</sup> aliquam curam in exterioribus habere. Volo iuramentum fidelitatis recipere, et, si fuerint aliqui amouendi, uolo eos amouere, et alios loco eorum substituere partim de consilio

<sup>1</sup> modus, *MS.*; mod', *P.*<sup>2</sup> insueta, *P.*<sup>3</sup> ic, *MS.*<sup>4</sup> Finchalle, *P.*<sup>5</sup> uero, *P.*<sup>6</sup> debent, *P.*

vestro; et hoc utique ad commodum domini mei et domus, et non ad da[m]pnum.' Cui responsum fuit sic: 'Domine, uos petitis inaudita et inexcogitata, quia nunquam fuit auditum quod aliquis seruiens istius domus iuramentum fidelitatis fecerit alicui episcopo, uel cuius balliuo suo, nec exactum fuit ante diem hodiernum. Set nec unquam<sup>1</sup> percepit aliquis episcopus de domo ista, seu [se] intromisit de aliquo quod ad domum pertinet, magis tempore uacacionis quam tempore prioris in domo existentis, nisi solummodo quod vnum de suis habebat ibidem tempore uacacionis residentem, dictum domus custodem ratione tuicionis non proprietatis.' Inhibitumque fuit seruientibus, secrete tamen, ne comparerent coram eo. Tandem ad magnam instanciam concessit differre negocium usque in crastinum, ut super hoc possent<sup>2</sup> consulere episcopum. Eo ipso die summo mane missi fuerunt ad episcopum duo fratres, videlicet domini *Willelmus* de Gretham et *Rogerus* de Methaley, cum litteris capituli apud Beurepayr<sup>3</sup> ante recessum suum; et cum causam aduentus sui coram eo exposuissent, ait, 'Modo cessit prior uester, et statim uultis alium eligere. Quid necesse est tantum accelerare?' Cui responderunt quod fratres, qui eleccioni interesse deberent, uariis in locis et ualde remotis morabantur, et oportuit habere magnum spacium ad eos sub forma debita congregandos. Inspecta igitur littera capituli, calumpniabatur vna cum clericis suis, quod non<sup>4</sup> fuit ei scriptum in salutando 'patrono ac domino,' set solummodo 'Reuerendo patri.' Et dixit magister *Ricardus* de Bradewelle, 'Mirum est de uobis quod non defertis domino meo, nec honorem debitum ei exhibetis. Nisi enim esset patronus uester et dominus loci, non haberetis necesse ab eo licenciam postulare. Scribatis ergo ei reuerenter, sicut decet, "patrono et domino."'<sup>a</sup> Et cum allegarent consuetudinem loci<sup>5</sup> et modum usitatum in omnibus eleccionibus precedentibus, quod nunquam aliter scribere solebant, respondit episcopus quod male dicebant, quoniam uidit et audiuit quod *Nicholaus*, quondam episcopus *Dunelmensis*, post mortem / bone memorie *Thome* prioris reiecit litteram capituli propter eundem defectum, nec concessit licenciam, donec redirent nuncii cum alia littera iuxta formam postulatam. Et tradidit eis litteram, asserens quod talem litteram non reciperet; et sic

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fo. 89v.

<sup>1</sup> nunquam, MS.; vncquam, P.<sup>2</sup> posset, P.<sup>3</sup> Beurepayre, P.<sup>4</sup> Repeated, P.<sup>5</sup> Om., P.

reuersi sunt, hec conuentui nunciantes. Et cum diu super hoc tractatum esset in conuentu, erant quidam fratres, qui satis memoriter retinebant de littera, de qua mencionem fecit dominus episcopus tempore domini *Nicholai*, quondam episcopi, videlicet quod non fuit ita, set petebat quod insererent in littera sua 'tanquam a patre et patrono in temporalibus et spiritualibus,' set nunquam id optinere potuit, nec remissa fuit littera propter hanc<sup>1</sup> causam; set per incuriam, antequam venirent nuncii ad episcopum, sissum fuit sigillum et omnino separatum a littera, et ideo redierunt, et aliam eiusdem tenoris in omnibus de nouo signari fecerunt eidem transportandam, quam admisit. In littera tamen sua de licencia concessa inseruit illa uerba precedentia, scilicet 'patrono in spiritualibus et temporalibus,' et de hoc non constituit conuentus vim, cum non contineretur sic in sua littera. Post multum uero tractatum bene fatebantur, et uerum fuit, quod<sup>2</sup> patronus est loci, et ideo scribendum ei erat tanquam patrono.<sup>a</sup> Insuper inspecto processu cessionis domini *Bertrami*, quondam prioris, et eleccionis sequentis, inuentum est quod ibi scribebatur domino *Waltero*, quondam episcopo, sic: 'Reuerendo patri et domino in Christo karissimo.' Vnde in crastinum iterum missi erant ad eum apud <sup>to Jan.</sup> Aucland domini *Ricardus* supprior et *Rogerus* camerarius<sup>b</sup> tam ad licentiam eligendi postulandam, quam ad interpellandum eum de statu domus consolando, quam senescallus et balliui sui infirmare nitebantur; et ob hoc cum eis mittebatur *Iohannes de Malton*, senescallus domus.<sup>c</sup> Deferebant autem secum litteram, cuius tenor talis erat:

'Reuerendo patri ac patrono in Christo domino *Roberto*, dei gratia episcopo *Dunelmensi*, deuoti filii sui conuentus eiusdem loci, salutem, et tam deuotam quam debitam cum omni reuerencia obedienciam. Cum per cessionem venerabilis patris domini *Hugonis*, quondam prioris nostri, ecclesia nostra sit prioris solacio destituta, ad reuerendam paternitatem vestram<sup>3</sup> de communi consilio capituli nostri dilectos confratres nostros et commonachos dominum *Ricardum*, suppriorum nostrum, et dominum *Rogerus* de *Metheley*, camerarium nostrum, / ad licenciam eligendi <sup>fo. 90.</sup> priorem ecclesie *Dunelmensi* a uobis, tanquam a patre spirituali et patrono, transmittimus postulandam; omni qua possumus deuocione celcitudinem uestram exorantes,

Littere ad  
petendam  
eligendi  
licenciam.

<sup>1</sup> illam, *P*.

<sup>2</sup> et, *MS*.

<sup>3</sup> *Om.*, *P*.

quatinus licenciam nobis eligendi priorem benigne, si placet, concedere dignemini. Valeat &c.<sup>1</sup> Dat' &c. Anno domini &c.'

Recepta igitur<sup>2</sup> littera prescripta, concessit eis licenciam per litteram suam patentem talem:

Littera  
episcopi de  
licencia  
eligendi  
concessa.

'Robertus, dei gracia Dunelmensis episcopus, dilectis in Christo filiis conuentui loci eiusdem, salutem, gratiam et benediccionem. Ex tenore litterarumstrarum, sigillo capituli vestri signatarum, recepimus quod uos a nobis, tanquam a patre et domino ac patrono uestro, ecclesie vestre, solacio prioris per cessionem domini Hugonis, quondam prioris uestri, destitute, licenciam eligendi uobis priorem postulastis, prout in eisdem litteris plenius continetur. Nos igitur, vestris petitionibus, quantum cum deo et iusticia possumus in hac parte, fauere uolentes, ecclesie vestre virum ydoneum eligendi canonice in priorem auctoritate presencium vobis concedimus facultatem. Dat' &c., pontificatus nostri anno xij.'

Recepta igitur littera hac, processerunt ad eum dicti fratres cum senescallo, et, prostrati coram eo, dicebant, 'Domine, uos bene nostis statum et consuetudinem domus Dunelmensis, et qualiter obseruatum est temporibus retroactis, quando uacabat domus. Supplicamus uobis ex parte conuentus, pro<sup>3</sup> amore dei et Sancti Cuthberti et honore uestro, ne quicquam a nobis exigi permittatis preter consuetudinem, temporibus predecessorum uestrorum usitatam; set conseruetis nos in eodem statu, quo fuimus temporibus supradictis.' Et ille, 'Quid facio uel quid exigo a uobis?' Ac illi, 'Domine,' inquiunt, 'senescallus uester hesterno die, uocatis senioribus domus et multis aliis, iussit uocari omnes qui curam domus habent in exterioribus, iuramentum fidelitatis exigens ab vniuersis. Et satis nosse debetis, si recolitis, quod talia nunquam antea fuerunt exacta.' Et episcopus, 'Quid?' inquit; 'nonne domus in custodia mea est? Quid uobis deperit ex hoc?' Responderunt, 'Domine, uestri gracia, certi sumus quod uos nec uultis nec cogitatis nisi bonum; set timendum est de aliis post uos futuris. Si enim uos modo istud<sup>4</sup> insuetum inciperetis,<sup>5</sup> et in consequenciam traheretur, licet uos nichil amplius uestro tempore faceretis,

<sup>1</sup> Valeat dilecta paternitas uestra  
semper in domino, P.

<sup>2</sup> Om., P.

<sup>3</sup> per, MS.

<sup>4</sup> id, MS.

<sup>5</sup> inceperitis, MS.



successores tamen uestri ex hoc materiam assumere possent, et causam alia superaddendi / et extorquendi. Et sic possent *fo. gov.* contenciones oriri et multa mala domui euenire, que uos uelle non credimus.' Vocato igitur senescallo, ait episcopus, 'Ecce isti conqueruntur. Quid fecisti eis?' Respondit, 'Adhuc nichil feci. Cogitauit iuramentum recipere ab officialibus domus, set supersedi.' Cui episcopus, 'Et adhuc supersedeas.' Mandauit itaque senescallus domino *Willelmo* de Witeby, cui in[i]unxerat<sup>1</sup> iuramentum predictum exigere loco sui, per litteram suam, ne aliquid<sup>2</sup> inde faceret nisi aliud mandatum haberet; sicque factum est. Morabaturque dominus *Willelmus* et Alanus clericus in domo modo consueto, nichil omnino agentes preter modum consuetum, nisi quod frequenter dixit dominus<sup>3</sup> *Willelmus* quibusdam sociis secrete, quod reprehendebatur tam a senescallo quam aliis eo quod iuramentum non exegit; nec aliquam potestatem infra domum exercuit. Post hec circiter per viij. seu per<sup>4</sup> ix. dies venerunt quidam seruientes domini episcopi apud maneria de Meri[n]gton', Acley et Ketton', predicta maneria in manu episcopi saysientes, et in quolibet loco vnum de suis dimiserunt custodem, et hoc ex precepto senescalli, ut postea patuit, quoniam factum eorum aduocauit.<sup>5</sup> Dicebant etiam coronatores quod iniunctum erat eis idem facere per omnia maneria prioris. Postquam hec nunciata sunt suppriori et conuentui, statim<sup>6</sup> destinauerunt dominum *Willelmum* Cuthbert, tunc terrarium, ad episcopum, ut ei hoc ostenderet, simulque supplicaret, ut ea emendaret. Factaque ei supplicatione super hoc, et longa habita intercacione [*sic*], tandem mandauit per litteras suas senescallo, ut eos amoueret; quod et fecit. Nec ulterius aliquis<sup>7</sup> balliuorum ipsius tempore uacacionis quemquam de domo super huiusmodi rationibus grauare presumpsit.

Igitur fratres, ad eleccionem accelerare desiderantes, statim, accepta littera de licencia concessa, scripserunt omnibus fratribus extra domum commorantibus, sub hac forma:

Electio  
domini  
Ricardi de  
Claxton'  
prioris.

'*Ricardus*, supprior, et conuentus ecclesie *Dunelmensis*, omnibus prioribus cellarum et custodibus ac procuratoribus domorum seu locorum, ad ecclesiam *Dunelmensem* spectantium, salutem in domino. Cum per cessionem

<sup>1</sup> iniungserat, *P.*

<sup>2</sup> a<sup>1</sup>d, *MS.*

<sup>3</sup> dictus, *P* ; do<sup>o</sup>, *MS.*

<sup>4</sup> *Om.*, *P.*

<sup>5</sup> *Glossed* uel re, *MS.*

<sup>6</sup> statum, *P.*

<sup>7</sup> *Add* i<sup>1</sup>, *P.*

fo. 9r.

[Eleccio  
Ricardi  
Claxton'  
prioris  
tempore  
Roberti  
Stichell'  
episcopi  
Dunelm'.](2)  
26 Jan.  
1272/3.

4 Lat.,  
c. 24,  
Decret.,  
lib. I,  
tit. vi,  
cap. 42.

11 Jan.  
1272/3.

venerabilis patris domini Hugonis, quondam prioris Dunelmensis, nuper factam et / admissam, ecclesia nostra prioris sit solacio destituta, et, petita a venerabili patre domino episcopo Dunelmensi iuxta morem eligendi licencia ac optenta, statutus sit dies ad electionem per dei gratiam de priore celebrandam in capitulo Dunelmensi in crastino conuersionis Sancti Pauli Apostoli proximo futuro<sup>1</sup>, cautumque sit in concilio generali, quod in electionibus celebrandis omnes uocentur, qui debent, uolunt et comode possunt interesse, mandamus uobis, quatinus, omnibus aliis negociis pretermis-  
sis, predictae electioni de priore celebrande dictis die et loco [personaliter] intersitis, vobiscum adducturi omnes, qui debent, uolunt et comode possunt dicte electioni interesse. Presentes litteras festinanter coram vniuersis fratribus publice legi faciatis. Valete [in domino]. Dat' [Dunelmi, iij. Id' Ianuarii, anno domini M<sup>o</sup>CC<sup>o</sup>LXX<sup>o</sup>II].<sup>3</sup>

Igitur adueniente predicto die electioni celebrande prefixe, conuenientibus et presentibus omnibus in capitulo Dunelmensi, qui debebant, uolebant et comode poterant interesse, inuocata primum spiritus sancti gracia, tractatum habebant in communi per quam uiam formarum, super electionibus editarum, tucius esset procedendum. Placuitque omnibus et singulis per uiam procedere compromissi; et sic electi sunt de vnanimi consensu totius capituli ix. fratres fidedigni, quorum nomina inferius patebunt, in quos compromiserunt, ut uice sua et illorum totiusque collegii ipsi monasterio per electionem canonicam de<sup>4</sup> suscipiendo priore prouiderent; eisdem specialem potestatem conferentes per litteram, sigillo capituli signatam, istius tenoris:

Commissio  
capituli  
facta  
compromis-  
sariis.(5)

' In nomine domini, amen. Anno incarnationis dominice M<sup>o</sup>CCLXX<sup>mo</sup>II<sup>o</sup>, pontificatus reuerendi patris [domini] Roberti, dei gracia Dunelmensis episcopi, xij<sup>mo</sup>, ecclesia Dunelmensis per cessionem domini Hugonis, quondam prioris eiusdem, in manu dicti patris factam et admissam, prioris solacio destituta, petita, ut moris est, ab eodem licencia eligendi et optenta, die quoque certo, uidelicet vij. Kall' Februarii, ad eligendum prefixo, et vocatis omnibus qui de iure fuerant euocandi, demum adueniente ipso

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<sup>1</sup> futurum, MS.

<sup>2</sup> In third hand.

<sup>3</sup> Dat' &c., MS.

<sup>4</sup> Repeated, MS.

<sup>5</sup> Also pencilled in the margin of P.

die eleccionis, et conuenientibus omnibus in capitulo *Dunelmensi* qui debebant, volebant et / comode poterant inter- fo. 9rv.  
esse, inuocata primum spiritus sancti gracia, placuit omnibus et singulis per viam compendii, per viam utique procedere compromissi. Et sic nos, Ricardus supprior, Hugo quondam prior *Dunelmensis*, Rogerus prior de Coldi[n]g-ham' &c., videlicet omnibus nominatim scriptis exceptis electoribus, vnanimi consensu<sup>1</sup> et voluntate vos, dominos *Robertum* de Insula priorem de Finchale,<sup>2</sup> *Ricardum* de Claxton' priorem de Insula, *Henricum* de Hornecastre sacristam *Dunelmensem*, Rogerum de Aslackeby elemosinarium *Dunelmensem*, Iohannem de Brafirton' suppriorem de *Coldingham'*, Iohannem de Walkington' sacristam de *Coldingham'*, Walterum de Dun' elemosinarium de *Coldingham'*, Willelmum de Gretham' librarium *Dunelmensem*, et Patricium de Wermuthe, fratres et commonachos nostros, eligimus, specialem potestatem uobis tenore presencium conferentes, ut vos vice nostra et vestra tociusque collegii monasterio nostro per eleccionem canonicam de uobis uel [de] aliis, dummodo de collegio nostro, provideatis de substituendo priore; promittentes nos ratum habituros et gratum, quicquid per uos uel maiorem partem vestri circa presentem eleccionem fuerit ordinatum, quodque eum, quem uos omnes seu maior pars uestri duxeritis uel duxerit eligendum, uel vnus vestrum de aliorum mandato vice vestra, sua et nostra elegerit,<sup>3</sup> absque reclamacione qualibet seu contradiccione recipiemus vnanimiter in priorem. In cuius rei testimonium presenti scripto sigillum capituli nostri fecimus apponi. Dat'<sup>4</sup> in capitulo *Dunelmensi*, die et anno prenotatis.'

Confecto igitur presenti scripto, et coram omnibus in capitulo publice recitato, sigillo capituli signato, ac dictis compromissariis tradito, in partem secesserunt, predictum scriptum secum habentes, de electione tractaturi. Et habito longo tractatu, postquam in certam personam modo inferius notando consenserunt, scripta sua de consensu electionis et electione facienda, necnon et pronuncianda ibidem ordinauerunt et scripserunt; sicque ad gradus capituli redeuntes, ipsa<sup>5</sup> in testimonium sigillo capituli corroborari fecerunt. Quorum vnus, cui ab aliis compromissariis collata fuit potes.

<sup>1</sup> assensu, *P*.

<sup>2</sup> Finchalle, *P*.

<sup>3</sup> eligerit, *P*.

<sup>4</sup> Act', *P*.

<sup>5</sup> ipsam, *MS*.

fo. 92.

Commissio  
compromis-  
siorum  
facta vni de  
compromis-  
sariis. (2)

tas certam personam, in quam viij<sup>to</sup> consenserant, / eligendi in priorem, dicta scripta recitauit, sic inchoans:

‘ In nomine domini, amen. Nos, Robertus de Insula prior de Finchale,<sup>1</sup> Henricus de Hornecastre sacrista Dunelmensis, Iohannes de Walki[n]gton, Walterus de Dun’, Rogerus de Aslakeby,<sup>3</sup> Iohannes de Brafirton’, Willelmus de Gretham’ et Patricius de Wermuth’, fratres et commonachi ecclesie Dunelmensis, electi a capitulo eiusdem ecclesie, et in nos ac dominum Ricardum de Claxton’, priorem de Insula, ab eis speciali potestate collata, ut vice omnium prouideamus ecclesie supradicte de substitutione prioris, secedentes in partem cum dicto domino Ricardo, inuocata primum spiritus sancti gracia, de diuersis personis precedente tractatu, et deliberacione prehabita diligenti, monasterii nostri utilitate pensata, et personarum uariarum meritis ponderatis, memorato Ricardo de Claxton’ ad rogatum nostrum in partem secedente, solum deum pre oculis habentes, vice nostra et tocius capituli in certam personam, scilicet<sup>4</sup> predictum dominum Ricardum, priorem de Insula, fratrem nostrum et commonachum, virum vtique litteratum, prouidum et discretum, in spiritualibus et temporalibus circumspectum, consentimus in priorem ecclesie Dunelmensis preficiendum.<sup>5</sup> Quocirca nos, Robertus de Insula prior de Finchale, Iohannes de Walki[n]gton’, Walterus de Dun’, Rogerus de As[l]akeby,<sup>6</sup> Iohannes de Brafirton’, Willelmus de Gretham’ et Patricius de Wermuth’, tibi, fratri Henrico de Hornecastr’, compromissario<sup>7</sup> nostro, mandamus, et potestatem in scriptis committimus specialem, ut tu vice tua et nostra ac tocius capituli dictum dominum Ricardum in priorem ecclesie Dunelmensis eligas in commune. Et, ut presenti decreto nostro fides adhibeatur, istud sigillo capituli<sup>8</sup> Dunelmensis fecimus signari. Act’ in eodem capitulo, vij. Kall’ Februarii, anno domini M<sup>o</sup>CC<sup>o</sup>LXX<sup>mo</sup> secundo.’

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Potestate per hanc litteram, sigillo capituli signatam, accepta, dictus Henricus<sup>9</sup> dominum Ricardum de Claxton’ in scriptis elegit in priorem, et electionem coram omnibus publicauit sic:

<sup>1</sup> Finchalle, P.

<sup>2</sup> Aslacby, P.

<sup>3</sup> Also pencilled in the margin of P.

<sup>4</sup> silicet, P.

<sup>5</sup> profic., MS.

<sup>6</sup> Aslacby, P.

<sup>7</sup> For concompromissario.

<sup>8</sup> nostri expunged, MS., P.

<sup>9</sup> Om. dictus H., P.



‘ In nomine patris et filii et spiritus sancti, amen. Ec- Electio.(1)  
 clesia *Dunelmensis* per cessionem domini *Hugonis*, quo[n]-  
 dam prioris eiusdem, in manu reuerendi patris domini  
 Roberti, dei gratia *Dunelmensis* episcopi, factam et admis-  
 sam, prioris solacio destituta, / petita ab eodem, prout fo. 92v.  
 moris est, eligendi licencia et optenta, septimo Kall’ Feb- 26 Jan.  
 ruarii die ad eligendum prefixa, vocatis omnibus et pre-  
 sentibus qui debuerunt, voluerunt et potuerunt comode  
 interesse, placuit omnibus et singulis per viam procedere  
 compromissi. Et sic elegerunt de capitulo viros fideding-  
 nos, dominos *Robertum* de Insula priorem de Finchale,  
*Ricardum* de Claxton’ priorem de Insula, *Iohannem* de  
*Walkington*’, *Walterum* de Dun’, *Rogерum* de *Aslackeby*,<sup>2</sup>  
*Iohannem* de *Brafirton*’, *Willelmum* de *Gretham*’, *Patric-*  
*ium* de *Wermuth*’, et me, *Henricum* de *Hornecastre*, cum  
 eis; in nos potestatem specialiter transferentes, vt nos  
 omnes seu maior pars nostri, dum tamen de gremio nostro,  
 prouideremus seu prouideret *Dunelmensi* ecclesie de priore.  
 Et sic fuimus electi vice omnium vestri. Vnde ego, *Henri-*  
*cus*, pro dictis *Roberto*, *Iohanne*, *Waltero*, *Rogero*,  
*Iohanne*, *Willelmo*, *Patricio*, vice ipsorum et omnium  
 vestrum et pro me, de mandato ipsorum speciali dominum  
*Ricardum* de *Claxton*’, priorem de Insula, vnum ex<sup>3</sup> com-  
 promissariis<sup>4</sup> nostris, in quem omnes consentimus, in scrip-  
 tis eligo in priorem ecclesie *Dunelmensis*. In cuius rei  
 testimonium prebens scriptum sigillo capituli *Dunelmensis*  
 communiri procuravi. Act’<sup>5</sup> in capitulo *Dunelmensi*, die  
 supradicto anni domini M<sup>mi</sup>CC<sup>mi</sup>LXX<sup>mi</sup> secundi.’

Hoc facto, omnes in communi electionem gratulanter accep-  
 tantes, cum instancia supplicabant dicto domino *Ricardo*,  
 ut electioni de se tam canonice facte assentiret; quem, licet  
 diu multumque renitentem, tandem tamen ad assensum pro-  
 duxerunt. Et statim sedentes, decretum processus scribi  
 fecerunt; cuius tenor talis est:

‘ Vniuersis sancte matris ecclesie filiis, ad quos presens Decre-  
tum.(6)  
 scriptum peruenerit, / *Ricardus*, supprior, et capitulum fo. 93.  
*Dunelmensis* ecclesie, salutem in domino. Nouerit vniuer-  
 sitas uestra, quod cum anno domini M<sup>o</sup>CC<sup>o</sup>LXX<sup>o</sup> secundo,  
 quinto Id’ Ianuarii, pontificatus reuerendi patris domini 9 Jan.  
1272/3

<sup>1</sup> Also pencilled in the margin of P.

<sup>3</sup> Aslacby, P.

<sup>3</sup> de, P.

<sup>4</sup> For concompromissariis.

<sup>5</sup> Acta, P.

<sup>6</sup> Also pencilled in the margin of P.

Roberti, *Dunelmensis* episcopi, anno xij<sup>mo</sup>, ecclesia *Dunelmensis* per cessionem domini Hugonis, quondam prioris eiusdem, in manus dicti patris factam et admissam, prioris esset solacio destituta, petita, prout moris est, ab eodem eligendi licencia pariter et optenta, die quoque certo, videlicet vij. Kall' Februarii, ad eligendum prefixo, et uocatis ad dictum diem omnibus qui de iure fuerant euocandi, demum adueniente ipso die electionis, et conuenientibus et presentibus omnibus in capitulo *Dunelmensi* qui debebant et uolebant et poterant comode interesse, inuocata primum spiritus sancti gracia, tractatum habuimus in comuni per quam viam formarum, super electionibus in concilio<sup>1</sup> editarum, tucius esset in electione celebranda procedendum. Tandem placuit capitulo predicto, scilicet<sup>2</sup> omnibus et singulis, vnanimiter per viam compendii, per viam vtique procedere compromissi ad prouidendum dicte ecclesie de priore. Et sic electi sunt de vnanimi consensu totius capituli, scilicet<sup>2</sup> omnium et singulorum, ix. fratres fidedigni, videlicet domini Robertus de Insula prior de Finchale,<sup>3</sup> Ricardus de Claxton' prior de Insula, Henricus de Hornecast' sacrista *Dunelmensis*, Iohannes de Walki[n]gton' sacrista de Coldi[n]gham', Walterus de Dun' elemosinarius de Coldingham', Rogerus de Aslackeby<sup>4</sup> elemosinarius *Dunelmensis*, Iohannes de Brafirton' supprior de Coldingham', Willelmus de Gretham' librarius *Dunelmensis*, et Patricius de Wermuth', in quos compromissimus, committentes et concedentes eisdem plenariam potestatem vice nostra et sua totiusque collegii prouidendi nobis et ecclesie *Dunelmensi* de se uel de aliis, de ipsius tamen gremio, de priore; ita quod quemcunque / ipsi ix., uel maior pars illorum, nobis ex mandato<sup>5</sup> nostro concorditer duxerint uel duxerit prouidendum seu eligendum, uel aliquis illorum ix. de vnanimi illorum consensu, rogatu seu<sup>6</sup> mandato duxerit eligere uel prouidere, eundem recipere absque omni reclamacione seu contradiccione in priorem nobis et ecclesie *Dunelmensi*. Qui omnes ix., pari potestate in scripto, sigillo capituli signato, accepta ab aliis, secedentes seorsum in capitulo, iterato inuocata spiritus sancti gracia, et deliberacione diligenti de diuersis prehabita, domino Ricardo de Claxton', priore de Insula,

26 Jan.

4 Lat., c. 24;  
Decret.,  
lib. 1,  
tit. vi,  
cap. 42.

fo. 93v.

<sup>1</sup> consilio, *MS*; consilio, *P*.<sup>2</sup> silicet, *P*.<sup>3</sup> Finchall', *P*.<sup>4</sup> Aslacby, *P*.<sup>5</sup> monasterio, *P*.<sup>6</sup> siue, *P*.

vno de dictis ix. compromissariis, ad rogatum aliorum viij<sup>to</sup> sociorum suorum in parte[m]<sup>1</sup> secedente, memorati octo, solum deum pre oculis habentes, vice sua et tocius capituli in dictum dominum Ricardum vnanimiter consenserunt nobis de ecclesia *Dunelmensi* in priorem preficiendum. Quem vnus ex predictis compromissariis, scilicet Henricus de Hornecast', rogatu et mandato aliorum sociorum suorum compromissariorum, scilicet Roberti prioris de Finchale,<sup>2</sup> Iohannis de Walki[n]gton', Walteri de Dun', Rogeri de Aslacby, Iohannis de Brafirton', Willelmi de Gretham' et Patricii de Wermuth, nobis et ecclesie *Dunelmensi* inscriptis elegit canonice in priorem; et hoc nobis publicarunt. Quo audito, nos omnes de capitulo eleccionem acceptauimus memoratam, et vnanimem prebuimus assensum [eidem; requirentes attencius et rogantes dictum dominum Ricardum, vt eleccioni secundum deum de se facte suum preberet assensum]. Qui post multas instancias non absque difficultate tandem dicte eleccioni assensit. Nos igitur statim, apertis hostiis claustris, conuenientibus in capitulo omnibus ingredi uolentibus, dictam eleccionem per dominum Robertum de Insula, priorem de Finchale,<sup>2</sup> sole[m]pniter fecimus publicari. Omnibus itaque tam clericis quam laicis in laudibus dei exultantibus, et gracias altissimo referentibus, ympnum *Te deum laudamus* sullimi uoce decantantes, usque in chorum monasterii processimus cum electo. Ympnoque finito, denuo in publico coram populo, qui vndique confluebant, dictam eleccionem, sicut prius, fecimus solempniter publicari, et in testimonium premissorum presens scriptum sigillo capituli nostri fecimus sigillari.'

In crastinum uero summo mane directi sunt a capitulo 27 Jan.  
quam plures fratres cum electo ad eum presentandum episcopo, qui tunc erat apud Aucland, videlicet dominus Hugo, quondam prior, et predicti electores et plures alii; inter quos duo specialiter dati erant procuratores coniunctim et diuisim Cf. p. 109.  
ad petendam confirmationem et eleccionis negocium proseguendum, videlicet domini *Rogerus* de Methley et *Rogerus* de Morton'. Et erat littera presentacionis talis:

'Reuerendo domino et patri in Christo karissimo Roberto, dei gracia episcopo *Dunelmensi*, sui filii humiles et deuoti, *Ricardus*, supprior, / et eiusdem loci conuentus, fo. 94.

Littera  
episcopo  
Dun'.

<sup>1</sup> parte, MS., P.

<sup>2</sup> Finchall', P.

salutem, et tam deuotam quam debitam cum omni honore et reuerencia obedienciam. Anno domini M<sup>o</sup>CC<sup>o</sup>LXX secundo ecclesia *Dunelmensis* per cessionem religiosi viri fratris Hugonis, quondam prioris loci eiusdem, prioris solacio destituta, petita a vestra dominacione, prout moris est, licencia eligendi<sup>1</sup> pariter et optenta, nos diem certum, videlicet vij. Kall' Februarii, ad eleccionem de priore prefiximus celebrandam,<sup>2</sup> et ad eundem diem conuocauimus omnes qui de iure fuerant euocandi. Quo die ad eligendum priorem conuenientibus in capitulo nostro omnibus<sup>3</sup> qui debebant, volebant et comode poterant interesse, inuocata spiritus sancti gracia, placuit omnibus et singulis per<sup>4</sup> viam procedere compromissi. Et sic de communi uoluntate omnium et singulorum fuerunt electi ix. de nostro collegio fidedigni, scilicet domini *Robertus* de Insula prior de Finchale, *Ricardus* de Claxton' prior de Insula, *Henricus* de *Hornecastre* sacrista *Dunelmensis*, *Iohannes* de Walki[n]gton', *Walterus* de Dun', *Rogerus* de Aslacby, *Iohannes* de Brauirton,<sup>5</sup> *Willelmus* de Gretham' et *Patricius* de Wer-muth', quibus fuit collata potestas, vt ipsi de se uel de aliis vice omnium prouiderent de priore ecclesie *Dunelmensi*. Cumque inter ipsos aliquandiu habitus esset tractatus de substituendo priore, viij. illorum fratrum *Ricardum* de Claxton', priorem de Insula, virum honestum, literatum, prouidum et discretum, in spiritualibus et temporalibus circumspectum, concorditer et vnanimiter modo debito elegerunt. Nosque, quod ab ipsis factum est ratum et gratum habentes, omnes et singuli vnanimiter acceptantes, ipsum fratrem *Ricardum*, aliquandiu renitentem, vix tandem ad hoc induximus quod consensit. Vestre igitur paternitati supplicamus humiliter et deuote, quatinus eleccioni de ipso tam canonice quam concorditer celebrate, quem ex vite merito credimus deo gratum et subditis in regimine fructuosum, pium impertientes assensum, eam dignemini confirmare. In cuius rei testimonium presentes litteras sigillo capituli nostri fecimus singnari.<sup>6</sup> Conseruet uos deus ecclesie sue [sancte] per tempora longiora.'

Habebant etiam procuratores predicti [litteram] procuratoriam talem:

<sup>1</sup> elig. lic., *P*.

<sup>2</sup> -um, *P*.

<sup>3</sup> omnes, *MS.*, *P*.

<sup>4</sup> pro; *MS*.

<sup>5</sup> Brafirtona, *P*.

<sup>6</sup> consingnari, *P*.



‘Reuerendo<sup>1</sup> &c. Ad petendam<sup>2</sup> confirmacionem electionis nostre facte de fratre *Ricardo* de Claxton’ in priorem ecclesie *Dunelmensis*, et ad ipsum negocium in vestre paternitatis / presencia prosequendum, dilectos nobis dominos *Rogerum* de Metheley, camerarium nostrum,<sup>3</sup> et *Rogerum* de Morton’, fratres et commonachos nostros, procuratores nostros, et quemlibet eorum, in solidum constituimus, facimus et ordinamus; dantes eisdem uel eorum alteri potestatem plenariam omnia et singula faciendi, que ad ipsum negocium pertinent uel poterunt pertinere; ratum habentes et firmum quicquid predicti procuratores uel eorum alter fecerint uel fecerit super negocio memorato. In cuius rei testimonium<sup>4</sup> &c.’

Procuratoria  
ad confirmandam  
electionem.

fo. 94v.

Habebant et aliam litteram procuratoriam talem ad cautelam, nulli ostendendam, nisi neccesse fuisset appellasse.

‘Vniuersis presentes litteras inspecturis, *Ricardus*, supprior, et conuentus *Dunelmensis* ecclesie, eternam in domino salutem. Ad petendam<sup>5</sup> confirmacionem electionis nostre, nuper facte de fratre *Ricardo* de Claxton’ in priorem ecclesie *Dunelmensis*, et ad ipsum negocium electionis in presencia venerabilis patris nostri<sup>6</sup> domini *Roberti*, dei gracia episcopi *Dunelmensis*, prosequendum, dilectos nobis in Christo fratres et commonachos nostros *Rogerum*<sup>7</sup> et *Rogerum*,<sup>8</sup> et quemlibet eorum, in solidum procuratores nostros constituimus, facimus et ordinamus; dantes eisdem uel eorum alteri potestatem et speciale mandatum dictum negocium prosequendi, appellandi, appellaciones prosequendi, et cuiuslibet generis sacramentum in animas nostras prestandi, necnon et omnia et singula faciendi, que ad ipsum negocium pertinent uel speciale mandatum requirunt<sup>9</sup>; ratum habentes et firmum quicquid dicti procuratores uel eorum alter in premissis et quolibet premisorum duxerint seu duxerit [nostro nomine] faciendum. In cuius rei<sup>10</sup> &c.’

Item, alia  
procuratoria.

<sup>1</sup> Reuerendo domino et patri in Christo karissimo, R., dei gracia episcopo Dunelm', sui filii humiles et deuoti, R., supprior, et eiusdem loci conuentus, salutem, et tam deuotam quam debitam cum omni honore et reuerencia obedienciam, P.

<sup>2</sup> -um, P.

<sup>3</sup> Dun', P.

<sup>4</sup> Add presentes litteras sigillo

capituli nostri fecimus consignari. 27 Jan. Dat' &c., P.

<sup>5</sup> -um, P.

<sup>6</sup> Om., P.

<sup>7</sup> R. de M., camerarium Dun', P.

<sup>8</sup> R. de Mort', P.

<sup>9</sup> requirerit, MS.

<sup>10</sup> Add testimonium presentes litteras sigillo capituli nostri fecimus consignari. Dat' Dunelmi, vi. Kall' Feb., anno domini M<sup>o</sup>CC<sup>o</sup> LXX<sup>mo</sup> secundo, P.

fo. 95.

28 Jan.

In crastino, videlicet die Veneris, perrexerunt apud Auctland cum electo dominus Hugo, quondam prior, et dicti electores et plures alii ad presentandum eum episcopo. Eoque presentato per litteram capituli suprascriptam, ingrediebatur episcopus thalamum cum clericis suis, et, facto paruo intervallo, mandauit per duos de clericis suis, vt, si haberent decretum uel aliqua scripta eleccionem tangencia, quibus vti uoluerant in prosecutione negocii, ostenderent episcopo. Et responsum fuit eis, quod sic. Traditaque sunt eis omnia scripta memorata sigillo capituli singnata, exceptis / procuracionibus, quodlibet post aliud<sup>1</sup> in ordine suo domino episcopo deferenda. Quibus acceptis, morabantur per multum tempus super negocio tractantes ad inuicem. Tandem, uocato electo cum aliis, dixit quidam clericorum ex parte episcopi, ‘Dies iam preteriit in maxima parte, et negocium illud multa exigit que sine temporis spacio rite non poterunt expediri. Non enim poterit examinacio fieri integre hac die, et ideo dominus meus differt negocium illud, et prefigit uobis diem in crastinum apud Derlington.’ Petita igitur licencia, electus cum suis recessit apud Ketton’ pernoctaturus. In crastinum occurrerunt episcopo apud Derlington’; vbi accedentes ad eum procuratores capituli supradicti, rogabant eum, ut negocium acceleraret. Qui acceptis instrumentis predictis, ingrediebatur capellam suam. Vocatoque ad se magistro R., archidiacono *Dunelmensi*,<sup>a</sup> cum clericis suis sedit pro tribunali, eleccionem examinaturus, et sic uocari fecit coram eo electores predictos, non simul et semel, set sigillatim, quemlibet post alium; et, prestito iuramento, examinauit vnumquemque per se, primos duos coram se uocatos, vnum post alium strictissime et vrgentissime, non solum super articulos<sup>2</sup> specialiter eleccionem tangentes,<sup>3</sup> uerum etiam super aliis quam pluribus, ut uidebatur eis, ad eleccionem minime pertinentibus. Et cum responsum esset inquiringibus ab examinato interrogata non esse de substantia negocii sui, nec ad ipsum pertinere, et ideo minime tenebatur ad ea respondere, dictum fuit ex parte episcopi, ‘Licet ista, prout dicis, minime uideantur principaliter esse de substantia eleccionis, pertinent tamen ad eandem accessorie. Tangunt enim personas tam electi quam electorum, et ideo necesse est quod nos super hiis inquiramus, et tu ad interrogata uerum respondeas.’ Vnde fuit in examinando aliqua altercacio, et ad que-

<sup>1</sup> alium, *MS.*<sup>3</sup> tangentibus, *P.*<sup>2</sup> *Altered to articulis, P.*

dam huiusmodi interrogata simpliciter, quod verum erat, facta responsio, ad aliqua uero solummodo disputatio seu dubia responsio. Examinatis itaque primis duobus, reliqui sex facilius transsierunt, quisque post alium ad simplicem interrogacionem simplici dato responso, videlicet, quod omnia, prout fecerunt, ita scripserunt, et e conuerso. / Examinatis omnibus, sedebat cum suis conferens quid agendum. Et cum non inueniretur viciū aut defectus in electo uel eleccione in forma sua [aut]<sup>1</sup> processu, uocauit electum coram clero et populo; et, ingressis omnibus ingredi uolentibus, post pauca uerba, ad eum de<sup>2</sup> dicto negocio prolata, confirmauit eum, ipsam confirmationem in scriptis proferens. Qua perlecta, incipiebatur solempniter ymnpus *Te deum laudamus*. Electo coram altari prostrato, ymnpoque decantato, et oracione super electo ab episcopo dicta,<sup>3</sup> surrexit electus, et, accepta ab episcopo cura dupplici, videlicet temporalium et spiritualium, fecit ei canonicam obedienciam, et sic cum iocunditate recesserunt ad mensam, simul pransuri. Igitur, quia instabat solempnis dies purificationis gloriose virginis, qui erat die Iouis proximo<sup>4</sup> sequente, nec comode potuit ante diem installari, in crastino recessit apud Piti[n]gdon', usque predictum diem ibidem moram factururus. Dicto uero die purificationis Dunelmum venit, comitantibus eum omnibus proceribus et probis hominibus patrie, ibidem ob hoc inuitatis; vbi occurrit ei archidiaconus *Dunelmensis*. Et facta oracione coram Sancto Cuthberto, processit in chorum, sedem suam ingressurus. Et primum quidem in choro sedem suam ingrediebatur, postmodum in capitulo, sequente eum conuentu, in vtramque a dicto archidiacono introductus. Quo facto, osculabatur omnes fratres, [quemque post alium in ordine suo].

Installacio  
Ricardi de  
Claxton'  
prioris Dun'.

29 Jan.

2 Feb.

Sequenti uero,<sup>5</sup> tercio quartoue die misit ad priorem [quosdam] nuncios dominus Hugo, quondam prior, qui erat adhuc apud Beurepair, ubi responsum ipsius prestolabatur, cum magna instancia orans et obsecrans, quatinus factum domini episcopi et capituli super prouisione sibi assignata ratificaret, et scripto suo confirmaret. Qui, uidens instanciam supplicancium, an[n]uit petitioni ipsius, et, facto sigillo, statim litteram ei concessit sub hac forma:

<sup>1</sup> Om., MS., P.

<sup>2</sup> Om., P.

<sup>3</sup> dicto, MS.

<sup>4</sup> proxima, MS.

<sup>5</sup> Om., P.

Confirmacio  
prouisionis  
Hugonis,  
quondam  
prioris.

fo. 96.

‘ Vniuersis presentes litteras inspecturis, Ricardus, prior Dunelmensis, salutem in salutis auctore. Cum reuerendus / pater Robertus, dei gracia Dunelmensis episcopus,<sup>1</sup> fratris Hugonis de Derlington’, quondam prioris nostri, nuper certis ex causis cessionem receperit, atque circa subministranda sibi et fratribus suis, secum uicturis, atque honeste familie sue vite neccessaria iuxta illius preclara merita ordinationem ac prouisionem quandam fecerit circumspectam, tocius capituli nostri concurrente consensu, prout in instrumento super hoc confecto plenius continetur, cuius tenor<sup>2</sup> de uerbo ad uerbum presentibus inseritur in hec uerba, “ Robertus, permissione diuina episcopus Dunelmensis ” &c., ut supra, nos, eiusdem loci prior, loco ipsius predecessoris nostri diuine intuitu misericordie subrogati, ipsam ordinationem, prouisionem et assignacionem, tanquam circumspectam et prouidam et nostro monasterio non da[m]pnosam, ex certa consciencia confirmamus, ratificamus, laudamus, et etiam approbamus; et contra eam seu eas [nos] nullo ingenio, nulla excogitacione nunquam uenturos, set, in quantum in nobis est, eam seu eas perpetuo promittimus<sup>3</sup> seruatuos. In cuius rei testimonium sigillo nostro hoc instrumentum fecimus roborari. Dat’ &c.’<sup>4</sup>

A.D. 1274

MCCLXXIIII.<sup>5</sup> Anno<sup>6</sup> domini M<sup>o</sup>CC<sup>mo</sup>LXX<sup>mo</sup> quarto, mense Maio, celebrauit dominus Gregorius papa decimus concilium generale Lugduni, ad quod pro priore et capitulo Dunelmensibus missi fuerunt dominus Robertus de Insula, tunc prior de Finchale, et dominus Willelmus de Massam, prior de Stamford, et magister Robertus Auenele, canonicus de Houedena,<sup>a</sup> subscriptas litteras secum deferentes.

Littere procuratorie pro priore et capitulo.

‘ Sanctissimo patri in Christo ac domino Gregorio, dei gracia summo pontifici, sui humiles et deuoti prior et conuentus Dunelmenses, salutem et deuota pedum oscula beatorum. Ad recipiendum sacrum mandatum uestrum cum ordinatione sacri concilii Lugdunensis sole[m]pniter euocati, super hiis, que in ipso concilio duxeritis statuenda,

<sup>1</sup> episc. Dun’, P.

<sup>2</sup> tenor presentibus de, P.

<sup>3</sup> promitt. perpet., P.

<sup>4</sup> Line blank, MS.; end of the version P.

<sup>5</sup> Om., Y; the marginalia are in MS. alone, unless otherwise stated.

<sup>6</sup> Beginning of the version Y, of which the first few pieces are almost illegible.



dilectos nobis in Christo fratres *Robertum*<sup>1</sup> et *Willelmum*,<sup>2</sup> seu eorum alterum, quem presentem ibidem esse contigerit, procuratores nostros / constituimus, facimus et ordinamus; raturum habituri et firmum quicquid per predictos procuratores uel eorum alterum cum ordinacione concilii factum, gestum fuerit uel procuratum. In cuius rei testimonium<sup>3</sup> &c.’

*Procuratoria capituli tantum.*

‘Sanctissimo [in Christo] &c., capitulum *Dunelmensis* ecclesie, [salutem,] &c., ut supra. Ad recipiendum sacrum mandatum &c., ut supra. [Dat’ Dunelmi, Idus Februarii, anno domini &c. tercio.]’

<sup>13</sup> Feb.  
1273/4.

*Procuratoria ad impetrandas*<sup>4</sup> litteras in curia.

‘Pateat vniuersis, quod nos . . . prior et conuentus constituimus, facimus et ordinamus dilectos nobis in Christo fratres *Robertum* et *Willelmum*<sup>5</sup> procuratores nostros ad impetrandas<sup>4</sup> in curia summi pontificis tam litteras speciales quam generales, et ad contradicendum et in iudicem seu iudices consenciendum; dantes eisdem uel eorum alteri potestatem iudicem seu iudices eligendi, ponendi, appellandi, alium seu alios procuratores loco sui substituendi, quociens opus fuerit uel viderint expedire, et tociens reuocandi eosdem, mandato huiusmodi nichilominus in suo robore duraturo; raturum habituri et firmum quicquid dicti procuratores uel eorum alter uel eorum substitutus uel substituti in premissis et quolibet premissorum duxerint uel duxerit faciendum. Dat’ &c.’

Littera ad presentandum ad beneficia decedencium in curia [uel in partibus illis].

‘Vniuersis<sup>6</sup> &c. Ad presentandas ydoneas personas ad quecunque beneficia, qualitercunque uacancia, ad nostrum patronatum spectancia, archiepiscopis et episcopis, vel eorum vices gerentibus, in quorum diocese huiusmodi beneficia vacare contigerit, dilecto fratri et commonacho nostro *Roberto* de Insula plenariam concedimus facultatem et speciale mandatum, vices nostras eidem super hiis tenore

<sup>1</sup> R. de Insula, Y.

<sup>2</sup> W. de N., Y.

<sup>3</sup> Om., Y.

<sup>4</sup> -um, Y.

<sup>5</sup> fratres N. et N., Y.

<sup>6</sup> Add presentes litteras inspecturis, prior Dun’ et eiusdem loci conuentus, salutem, Y.

presencium specialiter committentes; ratum habituri<sup>1</sup> &c. Dat' &c.'

Littere contractus.

fo. 97.

'Vniuersis &c. Noueritis quod nos constituimus, facimus et ordinamus dilectos nobis in Christo<sup>2</sup> fratres *Robertum* et *Willelmum*,<sup>3</sup> uel eorum alterum, procuratores nostros et nuncios speciales ad nostra et domus nostre negocia in curia Romana prosequenda, et eadem ibidem expedienda<sup>4</sup>; dantes eisdem uel eorum alteri potestatem et speciale mandatum mutuuum / usque ad summam c. librarum sterli[n]gorum cum quibusdam mercatoribus contrahendi, et illud nomine nostro recipiendi, ac omnia et singula faciendi que circa ipsorum<sup>5</sup> negociorum expeditionem fuerint necessaria, et nobis uiderint seu eorum alter uiderit expedire. Quicquid autem dicti procuratores uel eorum alter infra dictam summam receperint uel receperit usque ad summam prenominatam per legitimam stipulacionem soluere promittimus. Ad cuius pecunie solucionem fideliter faciendam obligamus nos et omnia bona nostra, mobilia et immobilia, ubicunque fuerint inuenta. Ratum habituri et firmum quicquid dicti procuratores uel eorum alter in premissis duxerint seu duxerit faciendum. In cuius rei [&c. Dat' &c.].'

Detulerunt autem secum alias duas litteras contractus, quarum quolibet erat de l. librarum, in ista eadem forma, et tres cedulas albas, sigillo capituli singnatas, quas integras et inscriptas domi secum detulerunt, et sigilla eorum<sup>6</sup> in capitulo fregerunt.

4 Aug.

Obitus Roberti de Stichille,<sup>7</sup> episcopi *Dunelmensis*.

Eodem anno<sup>8</sup> pridie Non' Augusti, redeundo de concilio *Lugdunensi*, Robertus de Stichile,<sup>9</sup> episcopus *Dunelmensis*, obiit in castro quod<sup>10</sup> *Arbreyles* dicitur.<sup>11</sup> Cuius corpus sepulture traditum est in quodam monasterio, ordinis Sancti Benedicti, *Sauyniacens'*<sup>b</sup>; set cor ipsius<sup>13</sup> *Dunelmo* delatum

[Anno domini millesimo CC<sup>o</sup> LXX<sup>o</sup> III<sup>o</sup>.] (12)

<sup>1</sup> Add et firmum quicquid dictus R. in pre(missis et quolibet) premissorum duxerit faciendum. Dat' &c., Y.

<sup>2</sup> in Chr. nobis, MS.

<sup>3</sup> fratres N. et asteriscus, Y.

<sup>4</sup> excipienda, MS.

<sup>5</sup> nostrorum, Y.

<sup>6</sup> ? For earum.

<sup>7</sup> Stihelis, Y.

<sup>8</sup> Anno domini MCCLXXX<sup>mo</sup> quarto, Y.

<sup>9</sup> Om. de Stich., Y.

<sup>10</sup> ? de, Y; manuscript stained.

<sup>11</sup> Om., Y.

<sup>12</sup> In third hand.

<sup>13</sup> us in darker ink, MS.

est, et in capitulo sepultum. Cuius obitu audito, petita est licencia eligendi a domino rege in hac forma:<sup>1</sup>

Littere domino regi per priorem et capitulum directe.<sup>2</sup>

‘Excellentissimo domino *Edwardo*, dei gracia illustri regi Anglie, domino Ybernie et duci Aquitannie, deuotissimi sui . . .<sup>3</sup> prior et conuentus *Dunelmensis* ecclesie, salutem, et promptissimum cum omni honore et reuerencia ad beneplacita famulatum. Cum<sup>4</sup> ecclesia *Dunelmensis*, per mortem venerabilis patris<sup>5</sup> domini Roberti, quondam *Dunelmensis* episcopi, pastoris solacio destituta, ad presens vacare dinoscitur, ad pedes excellencie vestre ad petendam a uobis licenciam eligendi episcopum dilectos fratres et commonachos nostros, [*Henricum* de Hornecastre, sacristam ecclesie nostre *Dunelmensis*, et *Willelmum* de Massam, priorem celle nostre de Stanford],<sup>6</sup> loco nostro transmittimus; omni qua possumus humilitate et deuocione regiam vestram exorantes clemenciam, quatinus, si placet, licenciam eligendi episcopum nobis et ecclesie nostre benigne concedere dignemini. Et in huius rei testimonium has litteras nostras patentes sigillo capituli nostri signatas vestre celsitudini transmittimus. Valeat regia maiestas uestra feliciter in domino. Dat’ Dunelmi, x. Kall’ Septembris, anno &c. quarto.’ 23 Aug.

Littere domini regis priori et conuentui.<sup>7</sup>

‘*Edwardus*, dei gracia rex Anglie &c., dilectis sibi in Christo priori et conuentui *Dunelmensibus*, salutem. Cum ecclesia *Dunelmensis* inter ceteras cathedrales ecclesias rengni nostri a nobis et progenitoribus nostris / Anglie regibus excellencioribus libertatum et dignitatum fastigiis decoretur, propenciori nos conuenit sollicitudine pensare qualiter ecclesie vestre viduate de ydoneo presule salubrius ualeat prouideri.’<sup>9</sup>

fo. 97v.

[Eleccio Roberti de Insula in episcopum Dunelm’ anno domini M<sup>o</sup>CC<sup>o</sup>LXX IIII (8) to.]

[Littere ad conuocandos priores cellarum et fratres qui interesse possunt ad electionem.]

<sup>1</sup> forma subscripta, Y.

<sup>2</sup> Littere misse domino regi ad petendam licenciam eligendi, Y.

<sup>3</sup> R, Y.

<sup>4</sup> Quoniam, Y.

<sup>5</sup> Add nostri, Y.

<sup>6</sup> Y; MS. gives two initials, one of which has been blotted out, the second being A.

<sup>7</sup> This incomplete letter is not in Y.

<sup>8</sup> In third hand.

<sup>9</sup> This form is followed in the MS. by a royal licence to elect, dated 18 June [1283], which is for the next election, and is printed *Scriptores Tres*, p. xci. It is not given by Y.

24 Sept.

'Ricardus, prior Dunelmensis, et eiusdem loci conuentus, omnibus prioribus c(ellarum et custodi)bus ac procuratoribus domorum seu locorum ad ecclesiam *Dunelmensem* spectantium, salutem in domino. Cum per mortem uenerabilis patris (nostri, domini) *Roberti*, quondam *Dunelmensis* episcopi, ecclesia nostra sit pastoris solacio destituta, et petita a domino *Edwardo*, dei gracia illustri rege Anglie, iuxta morem eligendi licencia ac optenta, statutus sit dies ad eleccionem per dei gratiam de episcopo celebrandam in capitulo *Dunelmensi* viij. Kall' Octobris, cautumque sit in concilio generali quod in eleccionibus celebrandis omnes uocentur qui debent, uolunt et comode possunt interesse, mandamus uobis, quatinus, omnibus aliis negociis pretermisissis, dictis die et loco intersitis predictae eleccioni faciende, uobiscum adducturi omnes qui debent et comode possunt interesse; presentes litteras sub omni festinatione coram vniuersis fratribus uestris publice legi facientes. Val'. Dat' &c.'<sup>1</sup>

24 Sept

Conuocati sunt igitur fratres ad eleccionem celebrandam in forma prescripta, statutusque est dies eleccionis viij. Kallend' Octobris. Conuenientibus igitur et presentibus in capitulo *Dunelmensi* omnibus qui eleccioni celebrande debuerunt, uoluerunt et comode potuerunt interesse, per<sup>2</sup> viam compromissi vnanimiter procedentes, elegerunt vij. fratres fidedignos, in quos compromisserunt omnes et singuli, ut sibi et ecclesie *Dunelmensi* de episcopo prouiderent, uidelicet dominos Hugonem de Derli[n]gton' quondam priorem *Dunelmensem*, Ricardum de Escrik, suppriorum eiusdem, Robertum de Insula priorem de Finchale, Henricum de Hornecastr' sacristam *Dunelmensem*, Nicholaum de Hexilsam, Ricardum de Barneby et Willelmum de Massam. Qui, secedentes in partem, dominum Robertum de Insula, priorem de Finchale, vnum ex compromissariis eorum, in episcopum *Dunelmensem* vnanimiter et concorditer elegerunt, specialem potestatem conferentes domino *Henrico* de Hornecastr' per litteram suam patentem, vt ipse vice eorum et tocus capituli dictum dom-

<sup>2</sup> This letter is in Y alone. It is followed there by three more documents, which the editor of the annals has condensed into the following paragraph. These three documents, (1) Commissio capituli facta compromissariis, (2) Compromissio compromissariorum facta uni de com-

promissariis, and (3) Eleccio, have been printed by Raine in *Historians of the Church of York (Rolls Ser.)*, iii, 190-3. Although the annals omit the summons to the cells, the first phrase of the summary shows that it was by mistake.

<sup>3</sup> pro, MS.



inum Robertum, in quem omnes consenserant, in episcopum eligeret in commune. Qua potestate accepta, dictus Henricus prenominatum Robertum de Insula in episcopum *Dunelmensem* in scriptis elegit, et ipsam electionem solemniter publicavit viij. Kall' Octobris.<sup>1</sup>

24 Sept.

(*Announcement to the archbishop of York; printed* Historians of the Church of York, iii, 196.) Decretum.

(*Appointment of proctors to carry the announcement; printed* ibid., p. 195.) Procuratoria ad prosecutionem electionem. fo. 99v.

Littere presentationis ad regem.

/ 'Excellentissimo domino &c., capitulum *Dunelmensis* ecclesie, salutem. Regie excellencie vestre significamus, quod, deum pre oculis habentes, venerabilem virum dominum Robertum de Insula, priorem de Finchale, uobis et regno uestro fidelem et perneccessarium, de vnanimi omnium nostrum uoluntate et assensu, inuocata spiritus sancti gracia, et aliis solemnitatibus debitis adhibitis, viij. Kal' Octobris, anno gracie &c. quarto, concorditer elegimus in episcopum et pastorem *Dunelmensis* ecclesie, quem regie maiestati vestre per venerabilem patrem nostrum dominum Ricardum, priorem *Dunelmensis* ecclesie, et per fratres et commonachos nostros presentamus; regie excellenti dominationi uestre omni qua possumus deuotione supplicantes, quatinus diuine caritatis intuitu electioni nostre et electo regium assensum et fauorem benigne, si placet, prestare dignemini. Et in huius rei testimonium has litteras nostras patentes uobis transmittimus. Valeat regia sublimitas uestra in domino per tempora longiora.'

24 Sept.

Visitacio archiepiscopi<sup>2</sup> *Eboracensis*<sup>a</sup> in capitulo *Dunelmensi*.

Electo igitur domino regi presentato, et ab eodem in breui, scilicet Id' Octobris, honorifice recepto, presentatus est postea archiepiscopo cum litteris regiis et decreto, superius notato,<sup>3</sup> ex parte capituli; qui inueniebatur apud Rypon<sup>4</sup> viij. Kal' Nouembris, vbi honorifice recepit tam electum quam eius presentatores seu compromissores, qui omnes ibidem conuenerant. Examinata ibidem tam electione quam persona electi ab<sup>5</sup> archiepiscopo, adiunctis sibi decano capituli *Eboracensis* et cancellario et<sup>6</sup> aliis duobus canonicis dicti capituli,

<sup>1</sup> Henceforth the two versions are in harmony again.

<sup>2</sup> episcopi, Y.

<sup>3</sup> scripto, Y.

<sup>4</sup> Rypon, Y.

<sup>5</sup> ad, MS.

<sup>6</sup> cum, Y.

- 31 Oct. statutus est dies ad confirmandum electum in vigilia Omnium Sanctorum in ecclesia *Dunelmensi*. Quam confirmacionis dilacionem ideo videtur fecisse, quia visitare capitulum *Dunelmense* omni modo decreuerat.<sup>1</sup> Ad quod faciendum iurisdiccione non haberet, electo confirmato. Vnde die proxima
- 30 Oct. ante vigiliam Omnium Sanctorum Dunelmum accessit, visitaturus; et, factis in capitulo correccionibus consuetis a priore, archiepiscopus capitulum<sup>2</sup> intrauit cum suis et omnibus intrare uolentibus ad audiendum sermonem ipsius. Quo finito, iniunxit tam suis quam aliis omnibus<sup>3</sup> ut discederent, et solummodo remanerent qui essent de capitulo. Quo facto, et hostiis claustrum iterum reseratis,<sup>4</sup> dixit se ad uisitandum et corrigendum, si qua essent corrigenda, uenisse. Vnde prius quesiiuit in communi si qua essent incorrecta, que correccione sua indigerent. Cui primo respondit prior quod [ipse nichil nouerat incorrectum. Set dixit quod se subtrahere uoluit, ut<sup>5</sup> hoc ab aliis specialius inquireret; quod et fecit. Postea iniunxit archiepiscopus conuentui, ut] se in partem traheret. Quo peracto, uocauit ad se primo supprior-em, a quo quod prius publice et in communi quesierat, uidelicet, si sciret aliqua incorrecta. Quo respondente quod non, vocauit successiue v. uel iiii<sup>or</sup> de senioribus, eodem modo illos examinans, ita tamen quod a nullo aliquod genus sacramenti exigebat; / et, nichil indigens correccione reperiens, reuocatis tam priore quam conuentu, dixit<sup>6</sup> quod in crastino reuerteretur. Dataque<sup>7</sup> benediccione, benigne recessit, et in castello, ubi hospitabatur, se recepit, domino Henrico de Hornecastr', tunc<sup>8</sup> sacrista ecclesie<sup>9</sup> *Dunelmensis*,<sup>a</sup> ante ipsum crucem deferente.<sup>10</sup> In crastino uero post capitulum ecclesiam cum suis ingressus, sedem episcopi intrauit, et, facta sermone ad populum, episcopum confirmauit.
- fo. 100. Recapitulacio  
cio  
24 Sept. Electus est igitur Robertus de Insula, prior de Finchla [sic], in episcopum *Dunelmensem* viij. Kal' Octobris, anno gracie M<sup>o</sup>CC<sup>o</sup>LXX<sup>mo</sup> quarto, et honorifice receptus a domino
- 15 Oct. Edwardo, rege Anglie, Id' Octobris; confirmatusque est a domino Waltero Giffard', archiepiscopo *Eboracensi*, in ecclesia *Dunelmensi* pridie Kal' Nouembris, scilicet in vigilia
- 31 Oct. Omnium Sanctorum, et consecratus est ab eodem domino

[Consecracione  
Roberti de  
Insula.](5)

<sup>1</sup> decreuerant, Y.

<sup>2</sup> Repeated, Y.

<sup>3</sup> omnibus aliis, Y.

<sup>4</sup> abseratis, Y.

<sup>5</sup> et, Y.

<sup>6</sup> dicens, Y.

<sup>7</sup> Om. que, Y.

<sup>8</sup> Om., Y; inserted in darker ink, MS.

<sup>9</sup> Om., Y.

<sup>10</sup> End of version Y.

Waltero archiepiscopo in episcopum *Dunelmensem* in maiori ecclesia *Eboracensi*, Dominica proxima post festum Sancti Nicholai episcopi, anno prenotato, [videlicet v<sup>to</sup> Idus Decembris, G littera dominicali<sup>1</sup>].

Forme in electionibus conseruande.

Tres sunt forme in eleccionibus conseruande. Prima fit per scrutinium, hoc modo: Vocentur omnes qui possunt, uolunt et debent interesse ad eleccionem faciendam in termino constituto, et, congregatis in capitulo, assumant ex ipsis fidedignos, qui seorsum singillatim et secreto inquirent uota singulorum et sua, ita quod cum debeant uota sua inquirere duo ipsorum inquirent uota alterius, nec refert vtrum ante aut post ipsi tres inquirent uota sua. Quibus omnibus uotis diligenter inquisitis, redigantur ipsa uota ab ipsis scrutatoribus in scriptis. Quibus redactis in scriptis, redeant in capitulo, et mox ea publicent in communi. Quibus publicatis, faciant collacionem numeri ad numerum, ordinum ad ordines, personarum ad personas, zeli ad zelum. Factaque collacione, surgat ille, qui primam habet vocem, et de consuetudine conueit eligere, et, quesita et optenta licencia aliorum, eligat nomine suo et aliorum illum in quem totum capitulum, uel maior et sanior pars capituli, in scrutinio consensit. Et facta eleccione, solempniter publicet eam, cantando *Te deum laudamus*, et ducendo electum ad altare, sicut moris est. Caueat tamen electus, ne, priusquam confirmetur, immisceat se administracioni, nisi sit ualde remotus ultra Ytaliā. Et tunc dispensatiue propter vtilitatem et neccessitatem ecclesie in spiritualibus et temporalibus administret. /

Robertus, dei gracia episcopus *Dunelmensis*, dilecto filio *fo. 100v.*  
 . . archidiacono *Dunelmensi* uel eius officiali, salutem, Collacio  
 graciam et benediccionem. Quia ecclesiam de Middelham<sup>1</sup>, ecclesie de  
 nostre diocesis, vacantem per resignacionem Petri de Monte- Middel-  
 cuto, quondam rectoris eiusdem, et ad presentacionem reli- ham<sup>1</sup>.  
 giosorum virorum prioris et conuentus *Dunelmensium* spe-  
 ctantem, dilectis in Christo filiis priori et monachis de Fin-  
 chale ad eorum paupertatem et inopiam releuandam [et] in  
 augmentum cultus diuini, in vsus proprios duximus conce-  
 dendam, vobis mandamus, quatinus dictum priorem uel pro-  
 curatorem suum nomine suo et dictorum monachorum in  
 corporalem possessionem eiusdem ecclesie inducatis et de-  
 fendatis inductum; contradictores seu rebelles, si quos inue-

<sup>1</sup> In third hand.

neritis, per censuram ecclesiasticam compescendo. Dat'  
[&c.].<sup>1</sup>/

fo. 101

A.D. 1283.  
7 June.  
Obitus  
domini  
Roberti de  
Insula  
episcopi  
Dun'.  
10 June.

MCCLXXXIII. Anno domini M<sup>o</sup>CC<sup>mo</sup> octogesimo tercio, vij. Id' Iunii, obiit Robertus de Insula, episcopus *Dunelmensis*, apud Midelham'. Cuius corpus, iiij. Id' eiusdem, sepulture traditum est in capitulo *Dunelmensi*. Quo sepulto, magister Robertus Auenale sigillum dicti episcopi in dicto capitulo coram omnibus publice confregit. Quibus rite peractis, petita est licencia eligendi a domino rege in forma prescri[p]ta pariter et optenta, vocatique sunt fratres ad electionem celebrandam in forma communi, statutusque est dies electionis vij. Id' Iulii, in[i]unctumque est fratribus omnibus et singulis, ne diem electionis publicarent propter temporis maliciam. Adueniente igitur dicto die electionis, et uocatis interim vocandis et presentibus in capitulo *Dunelmensi*, placuit omnibus et singulis per viam compromissi in electione procedere, et sic compromiserunt omnes et singuli in vij. fratres per litteram suam, sigillo capituli singnatam, sub hac forma:

9 July.

#### Compromissio.

' In nomine patris et filii et spiritus sancti, amen. Anno gracie M<sup>o</sup>CC<sup>o</sup>LXXX<sup>mo</sup>III, pontificatus domini Martini pape iiij<sup>ti</sup> tercio, regni domini *Edwardi* illustris regis Anglie xi., Roberto, quondam *Dunelmensi* episcopo, prout domino placuit, ab hac luce subtracto, vij. Id' Iunii, et corpore ipsius ecclesiastice tradito sepulture, sicque ecclesia *Dunelmensis* per mortem ipsius pastoris solacio destituta, pecita, prout moris est, a prefato domino *Edwardo* rege eligendi licencia et optenta, die quoque certo, videlicet vij. Id' Iulii, ad eligendum prefixo,<sup>2</sup> et citatis interim ad dictum diem citandis, ac tunc presentibus in capitulo *Dunelmensi* omnibus qui electioni celebrande debuerunt,<sup>3</sup> uoluerunt et commode potuerunt interesse, inuocata primum spiritus sancti gracia, post diuersos tractatus habitos et nominationes diuersarum personarum simplices, tandem, lecta constitutione concilii generalis *Qu[i]a propter*, placuit vniuersis et singulis per viam compromissi predictae ecclesie viduate de episcopo et pastore prouidere. Et sic nos, Ricardus prior *Dunelmensis*, Iohannes de Gisburn', Nicholaus de Hexildsam' &c., vnanimi consensu et volun-

7 June.

9 July.

Decret.,  
lib. 1,  
tit. vi,  
cap. 42.

<sup>1</sup> Rest of the page blank.

<sup>2</sup> prefixo, MS.

<sup>3</sup> dubuerunt, MS.



tate vos, Hugonem de Derli[n]gton quondam priorem Dunelmensem, Henricum de Hornecastre priorem de Coldingham, Rogerum de Methaley suppriorum nostrum Dunelmensem, Ricardum de Barneby priorem de Insula, Stephanum de Houeden, Henricum de Tesdale et Ricardum de Hoton', fratres et commonachos nostros, eligimus, specialem potestatem vobis tenore presencium conferentes, vt uos uel maior pars vestrum vice uestra et nostra tociusque collegii per eleccionem canonicam uel nominacionem solempnem seu postulacionem ecclesie nostre supradicte uacanti, prout conuenerit, inter nos de persona ydonea de gremio ecclesie nostre uel aliunde / prouideatis; ita quod fo. 101v. vnus ex uobis de consensu aliorum concompromissariorum uel maioris partis eorum vice sua et collegarum ac nostra illum, in quem uos omnes conueneritis, seu maior pars vestrum conuenerit, nobis et ecclesie nostre supradicte in episcopum eligat et pastorem, eleccionemque solempniter in nostra publicet presencia. Promittentes nos ratum habituros et gratum quicquid per uos uel maiorem partem vestri circa presentem eleccionem modo prescripto fuerit ordinatum, quodque eum, quem vnus vestrum de aliorum omnium seu maioris partis assensu et mandato vice uestra sua et nostra elegerit seu postulauerit, absque reclamacione qualibet seu contradiccione recipiemus<sup>1</sup> vnanimiter in episcopum et pastorem. In cuius rei &c. Dat' &c.'

Commissio compromissariorum facta vni de compromissariis.

' In nomine domini, amen. Nos, Hugo quondam prior Dunelmensis, Henricus prior de Coldingham, Rogerus de Methaley supprior, Ricardus de Barneby prior de Insula, Stephanus de Houeden, Henricus de Tesdale et Ricardus de Hoton', fratres et commonachi ecclesie Dunelmensis, electi a priore et capitulo eiusdem ecclesie, et in nos ab eis speciali potestate collata, et per nos reuerenter accepta, vt uice sua et nostra prouideamus ecclesie supradicte de episcopo et pastore, prout in littera eorum inde confecta plenius continetur, secedentes in partem, inuocata spiritus sancti gracia, de diuersis personis precedente tractatu, et deliberacione prehabita diligenti, ecclesie nostre utilitate pensata, et personarum uariarum meritis ponderatis, deum pre oculis habentes, vice nostra et tocius capituli Dunel-

<sup>1</sup> recipiemus, MS.

*mensis* in certam personam, videlicet dominum Antonium Bek', archidiaconum ecclesie supradicte, absentem, virum vtique prouidum et discretum, in spiritualibus et temporalibus circumspectum, consentimus in ecclesie *Dunelmensis* episcopum eligendum. Quocirca nos, Hugo quondam prior *Dunelmensis*, Rogerus supprior, Ricardus prior de Insula, Stephanus de Houeden, Henricus de Tesdale et Ricardus de Hoton', tibi, fratri Henrico de Hornecastr', priori de Coldi[n]gham', concompromissario nostro, specialiter mandamus, et potestatem in hiis scriptis committimus specialem, vt tu vice tua et nostra ac tocius capituli *Dunelmensis* dictum dominum Antonium in episcopum ecclesie *Dunelmensis* eligas in communi. Et ut presenti / instrumento fides adhibeatur, illud sigillis nostris vna cum sigillo capituli nostri supradicti fecimus sigillari. Act' &c.'

fo. 102.

[Eleccio  
Antonii  
archidiaconi  
Dunelm' in  
episcopum  
anno M  
CC<sup>o</sup>LXXX  
III<sup>o</sup>.] (1)

Electio.

' In nomine patris et filii et spiritus sancti, amen. Anno domini M<sup>o</sup>CC<sup>o</sup> octogesimo III<sup>o</sup>, pontificatus domini Martini pape quarti tercio, regni domini *Edwardi* illustris regis Anglie xj., ecclesia *Dunelmensis* per mortem bone memorie Roberti, quondam eiusdem episcopi, pastoris solacio destituta, petita ab eodem domino rege eligendi licencia et optenta, vij. Id' Iulii die ad eligendum prefixo, vocatis interim ad dictum diem uocandis, et tunc presentibus omnibus qui eleccioni celebrande debuerunt, uoluerunt et comode potuerunt interesse, placuit omnibus et singulis per viam procedere compromissi. Et sic elegerunt in capitulo viros fidedignos fratres *Hugonem* quondam priorem *Dunelmensem*, Rogerum suppriorem eiusdem ecclesie, Ricardum priorem de Insula, Stephanum de Houeden, Henricum de Tesdale, Ricardum de Hoton' et me, Henricum de Hornecastr', priorem de *Coldingham'*, cum eis, in nos potestatem specialiter transferentes, ut nos seu maior pars nostri prouideremus seu prouideret ecclesie *Dunelmensi* de episcopo et pastore, ita quod vnus nostrum de consensu et mandato aliorum concompromissariorum uel maioris partis eorum vice sua et collegarum ac tocius collegii illum, in quem nos conueniremus seu maior pars nostri conueniret, ecclesie *Dunelmensis* in episcopum eligeret et pastorem. Et sic fuimus electi vice omnium de collegio, prout in littera compromissi, sigillo capituli signata, plen-

9 July.

<sup>1</sup> In third hand.

ius continetur. Vnde ego, frater Henricus de *Horne-castre*, prior de *Coldingham*, habens ad hoc a dictis compromissariis meis specialem potestatem et mandatum, prout in littera ipsorum super hoc confecta plenius continetur, pro eisdem Hugone, Rogero, Ricardo, Stephano, Henrico et Ricardo, vice mea, ipsorum et omnium aliorum in eleccione ius habencium et hic presencium, de mandato dictorum concompromissariorum meorum speciali, dominum Antonium Bek', ecclesie nostre supradicte *Dunelmensis* archidiaconum, absentem, in quem omnes consentimus, in hiis scriptis eligo in episcopum ecclesie *Dunelmensis* et pastorem, et ipsam eleccionem de predictorum collegarum meorum approbacione et consensu solempniter publico in communi. In cuius rei testimonium presenti scripto sigillum capituli est appensum. Act' in eodem capitulo die et anno prenotatis.' /

'Vniuersis &c.<sup>a</sup> Ad vniuersitatis vestre noticiam volumus peruenire, quod nos dilectos nobis in Christo fratres et commonachos nostros Rogerum de Methley, *Stephanum* de *Houeden*, Henricum de *Tesdale* in omnibus causis et negociis, nos et ecclesiam nostram *Dunelmensem* qualitercunque contingentibus, coram quibuscunque iudicibus, ordinariis seu delegatis, et aliis quibuscunque, quamcunque iurisdiccione habentibus pro nobis seu contra nos, quibuscunque diebus et locis, motis uel mouendis, procuratores nostros sub alternacione facimus, ordinamus et constituimus; dantes eisdem seu eorum alteri specialem potestatem nomine nostro agendi, defendendi, excipiendi, replicandi, sacramentum de calumpnia et de ueritate dicenda et quodlibet aliud genus sacramenti in animas nostras prestandi, ponendi, posicionibus respondendi, prouocandi, appellandi, prouocaciones et appellaciones nomine nostro interpositas et interponendas prosequendi, status nostri reformacionem et in integrum restitutionem, quociens opus fuerit, petendi, et omnia alia et si[n]gula faciendi, etsi mandatum speciale requirant, sine quibus veri et legitimi procuratoris officium non poterit explicari. Ratum habentes et firmum quicquid predicti *Rogerus* et *Stephanus*, procuratores nostri, uel eorum alter, in predictis causis et negociis, ut premissum est, nomine nostro duxerint uel duxerit faciendum seu procurandum. Pro eis etiam uel eorum altero sub ypoteca rerumstrarum iudicatum solui promittimus; hoc idem iudicibus et aliis qui-

fo. 102v.

Procuratoria.

18 June  
1281.

Proxy for  
securing  
confirmation  
of the  
election and  
consecra-  
tion of the  
elect from  
the pope.

fo. 103.

buscunque nobis aduersantibus et aliis quorum interest tenore presencium significantes. In cuius rei testimonium &c. Dat' Dunelmi, xiiij. Kall' Iulii, anno &c. octogesimo primo.'

' Sanctissimo patri &c. Sanctitati vestre presentibus litteris intimamus, quod felicitis recordacionis Roberto, quondam episcopo nostro, viam vniuerse carnis ingresso, ac corpore ipsius canonice tradito sepulture, vocatis absentibus, et presentibus in capitulo nostro die ad eligendum prefixo omnibus qui debuerunt, voluerunt et potuerunt comode interesse, inuocata spiritus sancti gracia, et tractatu de substitutione futuri pontificis habito diligenti, tandem vij. de nobis, viris fidedignis, prouidendi eidem ecclesie viduate per eleccionem uel per postulacionem, de gremio nostro uel aliunde, vice eorum et omnium nostrum, de episcopo et pastore contulimus vnanimiter totaliter potestatem. Qui huiusmodi potestatem benigne ac humiliter suscipientes, / et deum pre oculis habentes, virum prouidum et discretum dominum Antonium Bek', archidiaconum ecclesie predictae *Dunelmensis*, in episcopum et pastorem eiusdem iuxta formam ipsis traditam et iuris exigenciam concorditer elegerunt; cui eleccioni nos omnes consensum adhibuimus, ipsam pariter acceptando. Hinc est quod fratres Rogerum de *Metheley*, Stephanum de *Houeden*, Henricum de *Tesdale* et Ricardum de *Hoton'*, commonachos nostros, latores presencium, ad presentandum electum nostrum predictum sanctitati vestre, et ad petendam confirmacionem eleccionis nostre facte de eodem, et consecracionem ipsius petendam, et pariter ad proseguendum huiusmodi eleccionis negocium in vestre sanctitatis presencia, seu in presencia aliorum, quos ad idem negocium audiendum et tractandum duxeritis deputandos, procuratores coniunctim et diuisim constituimus, facimus ac etiam ordinamus. Dantes eisdem et eorum cuilibet specialem potestatem iurandi in animas nostras, quociens opus fuerit et negocii qualitas postulauerit, et omnia et singula faciendi in premissis [...] <sup>1</sup> circa premissa qualitercunque contingencibus, que nos faceremus, si presentes essemus. Ratum habentes et firmum quicquid per predictos procuratores uel eorum quemlibet in premissis, ut predictum est, actum fuerit uel procuratum. In cuius rei &c. Dat' &c.'

<sup>1</sup> Much erasion, and et inserted, MS.



General  
proxy for  
dealing  
with the  
election  
at Rome.

'Vniuersis &c. Nouerit vniuersitas vestra, quod nos ad  
 prosequendum negocium eleccionis nostre, de venerabili  
 viro prouido et discreto domino *Antonio Bek*', dicte ecclesie  
 nostre *Dunelmensis* archidiacono, nuper canonice et con-  
 5 corditer facte, coram summo pontifice uel cardinalibus seu  
 quibuscunque aliis iudicibus vel iudice, auditoribus uel  
 auditore, ab eo concessis uel concesso aut etiam datis,  
 dilectos nostros fratres Rogerum de *Metheley*, *Stephanum*  
 de *Houeden*, *Henricum* de *Tesdale* et *Ricardum* de *Hoton*',  
 10 commonachos, constituimus, facimus et ordinamus con-  
 iunctim et diuisim procuratores nostros, syndicos uel actor-  
 es, in omnibus articulis et negociis, dictam eleccionem et  
 dictum electum qualitercunque contingentibus. Dantes  
 15 eisdem et eorum cuilibet potestatem specialem agendi,  
 defendendi, excipiendi, *replicandi*, litem contestandi, iura-  
 mentum de calumpnia seu de ueritate dicenda et quodlibet  
 aliud genus sacramenti in animas nostras prestandi, po-  
 nendi, posicionibus respondendi, sentencias seu interlocu-  
 20 torias / audiendi, appellandi, appellaciones prosequendi, *fo. 103v.*  
 beneficium restitutionis in integrum et status nostri refor-  
 macionem, quocienscunque et quandocunque opus fuerit,  
 petendi, obiciendi in personas quascunque, et presertim  
 in opposcentes se eleccioni nostre et electo memoratis, cri-  
 25 mina, defectus et alia, que nobis competerent, si presentes  
 essemus, confirmacionem eleccionis et electi consecratio-  
 nem vice nostra et vice omnium de capitulo *Dunelmensi*,  
 quociens sibi, nobis et ecclesie nostre *Dunelmensi* viderint  
 uel uiderit expedire, specialiter postulandi a summo ponti-  
 fice et petendi, alium seu alios constituendi et substituendi  
 30 procuratorem seu procuratores ad premissa et quodlibet  
 premissorum, qui similem potestatem habeat uel habeant  
 in premissis et quolibet<sup>1</sup> premissorum, ac reuocandi eorum  
 constitutionem et substitutionem et onus procuratorium  
 reassumendi, quociens opus fuerit et sibi viderint uel vider-  
 35 it expedire, et omnia et singula predicte eleccionis nego-  
 cium contingencia faciendi, et sine quibus ipsum negocium  
 et legitimi procuratoris officium nequiverint expediri aut  
 explicari. Ratum habentes et firmum quicquid predicti  
 procuratores uel eorum quilibet, constitutus uel constituti,  
 40 substitutus uel substituti ab eis uel eorum aliquo, nostro,  
 ecclesie nostre et electi prefati nomine, in curia Romana  
 uel alibi, quibuscunque locis, coram quibuscunque iudici-

<sup>1</sup> quodlibet, *MS.*

bus, ordinariis seu delegatis seu executoribus, arbitris uel auditoribus, datis uel dandis, aditis uel adeundis, contra quascunque personas, diebus quibuscunque, in premissis seu aliquo premissorum duxerint uel duxerit faciendum. Pro ipsis etiam et eorum aliquo uel quolibet, constitutis uel constituto, substitutis uel substituto ab eis uel eorum aliquo iudicatum solui promittimus. In cuius rei &c. Dat' &c.'

Proxy for presenting the elect to the pope, and for making a new election if the first should be impeded.

fo. 104.

'Vniuersis &c. Nouerit vniuersitas vestra, quod nos constituimus, facimus et ordinamus dilectos nobis in Christo fratres *Rogerum* de *Metheley*, *Stephanum* de *Hofden*, *Henricum* de *Tesdale* et *Ricardum* de *Hoton*', commonachos nostros, latores presencium, coniunctim et diuissim procuratores nostros in sancta Romana curia ad presentandum summo pontifici electum nostrum, dominum Antonium Bek', dicte ecclesie nostre archidiaconum, virum prouidum et discretum, quem nuper per viam<sup>1</sup> compromissi concorditer elegimus in ecclesie nostre episcopum et pastorem, et ad petendam confirmationem et consecrationem ipsius ab eodem, et etiam ad proseguendum in presencia sanctitatis sue, / uel coram auditoribus ab ipso datis et concessis, predictae eleccionis negocium et ipsam eleccionem seu electum qualitercunque contingencia, et, si tempore intermedio contingat humanitus, quod absit, de electo nostro predicto, aut ab eius promocio[ne] impediatur, quominus optatum sorciatur<sup>2</sup> effectum, siue electio de ipso facta non procedat, memoratis *Rogero*, *Stephano*, *Henrico* et *Ricardo* et eorum cuilibet concedimus et plenam ac liberam potestatem eisdem per presentes conferimus, ut ipsi uel eorum maior pars vice eorum et omnium nostrum de episcopo et pastore ydoneo tam de nobis et illis quam de aliis per eleccionem uel postulacionem canonicam ecclesie nostre predictae prouideant viduate, hanc potestatem in quemlibet predictorum, quem presentem esse contigerit, transferentes, ac etiam dantes eisdem et eorum cuilibet specialem potestatem nostro et ecclesie nostre nomine postulandi, et petendi a liberalitate apostolica grariam et dispensacionem, et proseguendi huiusmodi eleccionis seu postulacionis negocium cum effectu in curia predicta. Ratum habentes et firmum quicquid ipsi aut quilibet eorum nomine nostro in premissis omnibus et singulis et quolibet premissorum, ut premissum est, dux-

<sup>1</sup> virum, *MS.*

<sup>2</sup> sorciatur *repeated, MS.*

erint uel duxerit faciendum aut etiam procurandum. In cuius rei &c. Dat' &c.'

' Reuerendo in Christo patri, domino *Willelmo*, dei gratia *Eboracensi* archiepiscopo, Anglie primati, sui humiles et deuoti *Ricardus*, prior, et conuentus *Dunelmensis* ecclesie, salutem cum reuerencie debite famulatu. Vacante ecclesia *Dunelmensi* per mortem venerabilis patris domini *Roberti*, quondam *Dunelmensis* episcopi, et corpore eius tradito sepulture, post petitam eligendi licenciam et optentam iuxta regni consuetudinem, die ad elige[n]dum prefixo, videlicet vij. Id' Iulii, vocatis interim vocandis, et tunc presentibus omnibus in capitulo nostro *Dunelmensi*, loco ad eligendum apto et consueto, qui voluerunt, debuerunt et potuerunt comode interesse, placuit omnibus per viam compromissi ecclesie uiduate prouidere. Et sic de uoluntate omnium et singulorum electi fuerunt vij. de collegio nostro fidedingni, quorum nomina tam in compromisso quam in eleccionis decreto per ordinem inseruntur, quibus ab omnibus collata fuit potestas, ut ipsi uel eorum maior pars vice omnium ecclesie prouiderent seu prouideret uiduate de episcopo et pastore. Qui inter se habito diligenti tractatu, dominum Antonium Bek', archidiaconum eiusdem ecclesie, virum honestum, literatum et prouidum, in spiritualibus et temporalibus circumspectum, in pastorem et episcopum ecclesie *Dunelmensis* elegerunt. Quare paternitati vestre humiliter supplicamus, quatinus electioni ipsius dingnemini confirmare, et ipsum / electum subsequenter in episcopum consecrare. Et ad presentandam eandem eleccionem vobis, ac petendam confirmacionem et consecracionem ipsius electi vice nostra vobis mittimus fratres Rogerum de *Metheley*, *Stephanum* de *Houeden*, Henricum de *Tesdale* et Ricardum de *Hoton*', commonachos nostros, ipsos constituentes sub alternacione procuratores nostros specialiter pro predictis confirmacione et consecracione petendis, necnon ad prosequendum in presencia uestra uel aliorum, quos in hac parte duxeritis deputandos, dicte eleccionis negocium, ac omnia et singula ipsam eleccionem contingencia, et ad iurandum in animas nostras in iam dicto negocio, sicut rei qualitas expostulat et requirit. Ratum habituri et firmum quicquid per ipsos uel eorum aliquem in premissis et eorum quolibet actum fuerit seu procuratum. In cuius rei &c. Dat' Dunelmi in crastino Sancti Iacobi &c.'

Proxy for requesting the archbishop of York to confirm the election and consecrate the elect.

fo. 104v.

26 July.

[Anno domini millesimo CC<sup>o</sup>LXXX<sup>o</sup>III<sup>o</sup>.]<sup>1</sup>

Proxy for  
acting before  
the  
archbishop.

‘Reuerendo &c. Ad prosequendum negocium eleccionis in ecclesia nostra, nuper facte de viro prouido et discreto, domino *Antonio Bek*’, eiusdem ecclesie archidiacono, in episcopum *Dunelmensem* et pastorem, fratres Rogerum de *Metheley*, *Stephanum*, *Henricum* et Ricardum de *Hoton*’, commonachos nostros, latores presencium, procuratores nostros sub alternacione constituimus, facimus ac etiam ordinamus; paternitati vestre humiliter supplicantes, quatinus dictum negocium maturitate, qua conuenit, dignemini tam fauorabiliter quam feliciter expedire. Damus etiam eis et eorum cuilibet specialem potestatem iurandi in animas nostras in dicto negocio, quociens opus fuerit et negocii qualitas postulauerit. Nos uero ratum et gratum habebimus quicquid per predictos uel eorum quemlibet in prelibato electionis negocio actum seu procuratum fuerit coram uobis. In quorum testimonium presentes litteras eisdem sigillo capituli nostri dedimus signatas. Dat’ &c.’

Proxy for  
presenting  
the elect to  
the  
archbishop.

‘Reuerendo in Christo, patri &c. Nouerit paternitas uestra, quod nos constituimus, facimus et ordinamus fratres Rogerum de *Metheley*, *Stephanum*, *Henricum* et Ricardum, commonachos nostros, latores presencium, sub alternacione procuratores nostros ad presentandum dominum *Antonium Bek*’, archidiaconum *Dunelmensem*, electum nostrum, virum prouidum et discretum, paternitati vestre, quem nuper elegimus per viam compromissi in ecclesie nostre episcopum et pastorem, et ad / petendam confirmationem ipsius a uobis, ac etiam ad prosequendum coram uobis aut commissariis vestris dicte eleccionis negocium, atque ad iurandum in animas nostras in eodem, prout rei qualitas expostulat et requirit. Ratum habentes et firmum quicquid per predictos et eorum aliquem seu quemlibet nomine nostro et ecclesie nostre predictae in premissis et quolibet premissorum actum fuerit uel procuratum. In cuius rei &c. Dat’ &c.’

fo. 105.

General  
proxy for  
acting  
before the  
archbishop.

‘Vniuersis &c. Nouerit . . . . (*As on p. 59, lines 1-5*) . . . . facte, coram venerabili patre nostro, domino *Willelmo*, dei gracia *Eboracensi* archiepiscopo, Anglie primate, uel commissariis suis seu auditoribus pluribus uel vno, dilectos nobis fratres Rogerum . . . . (*As on p. 59, line 8 to line*

<sup>1</sup> In third hand.



41).<sup>1</sup> / . . . . prefati nomine, in presencia memorati <sup>fo. 105v.</sup> domini archiepiscopi uel vices suas gerenti[s], ut premis-  
sum est, contra quascunque personas, diebus quibuscun-  
que, in premissis seu aliquo premissorum duxerint uel  
duxerit faciendum. Pro ipsis etiam et eorum quolibet,  
constitutis uel constituto, substitutis uel substituto ab eis  
uel eorum aliquo iudicatum solui promittimus. In cuius  
rei &c. Dat', ut supra.'

Littera mittenda domino regi.

'Excellentissimo principi et domino quam plurimum  
reuerendo, domino *Edwardo*, dei gracia illustri regi Anglie,  
domino Ybernie et duci Aquitanie, deuoti et fideles sui,  
*Ricardus*, prior, et capitulum ecclesie *Dunelmensis*, salu-  
tem, et oraciones in domino Ihesu Christo. Celsitudini  
vestre tenore presencium duximus intimandum, quod post  
optentam a uobis licenciam eligendi, spiritus sancti gracia  
cum oracionibus et deuotis gemitibus inuocata, tandem  
conuenientibus nobis in capitulo, et omnibus, que ad elec-  
cionem pertinent, rite peractis, votisque nostris maxime  
ad deum directis, dominum N., ecclesie nostre predictae  
*Dunelmensis* archidiaconum, virum prouidum et discre-  
tum, deuotum ac fidelem vestrum, concorditer et vniformi-  
ter, nullo nostrum aliquatenus reclamante,<sup>2</sup> quasi fuerit ex  
sola disposicione diuina prouisum, die uidelicet vij. Id'  
Iulii a toto capitulo ad eligendum prefixo, per<sup>3</sup> viam com-  
promissi canonice nobis in episcopum prouidimus et pastor-  
em. Quare ad presentandum maiestati vestre, sicut est  
debitum, eundem electum nostrum transmissis fratribus  
*Rogero de Metheley*, *Henrico de Tesdale* et *Ricardo de*  
*Hoton'*, commonachis nostris, humiliter supplicamus, quan-  
tinus diuine retribucionis obtentu et eleccionem pariter et  
electum dignemini per vestre gracia assensum liberaliter  
approbare. Has litteras nostras ad maiorem euidenciam  
patentes vobis sigillo capituli nostri transmittimus com-  
munitas, &c.'

9 July.

[Anno domini millesimo CC<sup>o</sup>LXXX<sup>o</sup>III<sup>o</sup> in crastino  
nathalis domini<sup>a</sup> consecratus est Antonius in episcopu[m] <sup>[Consecratio  
Antonii  
episcopi.] (4)</sup>  
*Dunelmensem* a Willelmo Wykewan', archiepiscopo Ebor<sup>4</sup>a  
*censi*, et obiit v. Non' Martii, anno domini M<sup>o</sup>CCC<sup>o</sup>X<sup>o</sup>.] /- <sup>3 March.  
1310/1</sup>

<sup>1</sup> The following variations occur :  
p. 59, line 9, *Hofden* ; 10, common.  
nostros ; 11, etiam ; 28, post. a  
predicto patre et pet. ; uel for seu ;  
3r-2, om. qui similem . . . premis-  
sorum ; 37, et for aut.

<sup>2</sup> reclamante, MS.

<sup>3</sup> pro, MS.

<sup>4</sup> In third hand.

fo. 106.

A.D. 1285.

24 Dec.

MCCLXXXV. Vigilia natiuitatis dominice, die Lune super A littera, ingressus est primo Antonius, *Dunelmensis* episcopus, ecclesiam suam *Dunelmensem* post consecracionem suam, intronizaturus.<sup>a</sup> Factaque suppliciter oracione nudis pedibus ante maius altare et ad feretrum Sancti Cuthberti, sicut ecclesiam ingrediebatur, porrexit in vestiario; ibique lotus aqua calida, a secretario subministrata, et calciatus solempniterque vestitus, capa scilicet et alba, atque mitratus est. Cumque ecclesiam iterum ad intronizandum ingrederetur, et ante stallum episcopale staret, ecce subito orta est discencio inter priorem eiusdem monasterii et officialem *Eboracensem* super intronizacione celebranda, asserente dicto priore illud ad officium suum tam de iure communi pertinere, quam etiam priuilegiis specialibus archiepiscoporum et capituli *Eboracensium* et confirmacionibus papalibus; et cum ille omnes dignitates haberet in ecclesia *Dunelmensi*, quas decanus *Eboracensis* habet in ecclesia *Eboracensi*, et fuit in possessione a tempore quo non extat memoria, et adhuc est, et officium decani *Eboracensis* est archiepiscopum installare seu intronizare, eadem racione officium suum est episcopum *Dunelmensem* post consecracionem suam, ab archiepiscopo *Eboracensi* rite celebratam, ipsum in ecclesia *Dunelmensi* intronizare.<sup>b</sup> Cumque officialis predictus pro statu suo consuetudinem ecclesie allegaret, respondit episcopus se nolle super hiis cum aliquo litigare, sicut nec debuit; set quia ad ecclesiam suam uenerat ad officium suum faciendum, dixit se uelle stallum suum omnibus modis canonice ingredi, et officium suum exercere, maxime in tanta solempnitate, et hoc pro nullo uiuente omittere. Et ne cuius parti uideretur iniuriari, saluo iure utriusque partis, a fratre suo, magistro Thoma le Bek', episcopo Neniensi,<sup>c</sup> solempniter intronizatus est. Quo facto, dictus Thomas episcopus missam solempniter celebrauit, conuentu disuestito, et in froccis suis, sicut alia die, ad missam in choro stante et canente. / Missa celebrata, recepit se episcopus in castro magnifice cum aliis quam plurimis nobilioribus regni, ibidem inuitatis. Totum seruicium diei et noctis in ecclesia pro tempore solempniter peregit, nisi quod episcopus Neniensis missam in nocte, et episcopus *Catinensis*<sup>d</sup> missam in aurora, que immediate post matutinas laudes decantabatur, celebrabant, episcopo *Dunelmensi* ab inicio matutinarum usque finem secunde misse in ecclesia cum conuentu expectante.

fo. 106v.

26 Dec.

In die uero Sancti Stephani episcopus cum fratre suo et

aliis episcopis et omnibus, qui ad festum uenerant, cum priore steterunt in mensa, satis curialiter in mensalibus et aliis necessariis procurati, satis iocundas facies prebentes in mensa.

Cessio  
domini  
Ricardi  
prioris.

In crastino uero, scilicet in<sup>1</sup> die Sancti Iohannis, conuentu<sup>27 Dec.</sup> in choro existente, et maiorem missam, ut moris est, in capis solempniter celebrante, ecce episcopus *Dunelmensis* ecclesiam ingreditur cum dicto *Thoma*, fratre suo, et aliis multis tam clericis quam laicis. Factaque oracione ante maius altare et ad feretrum Sancti Cuthberti, optulit duos baudekinos, continentes historiam natiuitatis domini,<sup>a</sup> super altare; et, aduocans subsacristam, dixit, ‘Ego assigno istos pannos ad istud altare ornandum in festiuitate natiuitatis dominice.’ Quo facto, secessit in partem ecclesie, scilicet ante altare Sancti Andree Apostoli,<sup>b</sup> et, vocatis dicto domino *Thoma*, fratre suo, dominis Hugone, quondam priore, Henrico, priore de Coldi[n]gham’, et Rogero, priore de Insula, habuit tractatum cum eis ab initio misse usque dum fere terminaretur sequentia dicte misse, suppriorum cum ceteris iuxta stante, set nec consilio interente [*sic*], super quo plurimi mirabantur. Non dum enim uocatus erat. Finito tandem dicto tractatu, episcopus cum ceteris capitulum ingreditur, et, uocata maxima parte conuentus, qui tunc in ecclesia ad missam prestolabatur, sedem prioris intrauit, episcopo Neniensi in sede episcopi ad nutum ipsius residente. Quibus ingressis una cum priore, episcopus Neniensis ex mandato / episcopi *Dun-* fo. 107.  
*elmensis*, facta breui collacione, proposuit quod dominus Ricardus, prior *Dunelmensis*, licenciam cedendi instanter ab episcopo *Dunelmensi* petiit; qui, considerata infirmitate sua simul et impotencia, ac etiam aliis causis interuenientibus, licenciam eidem cedendi concessit. ‘Vnde nos auctoritate dicti episcopi *Dunelmensis*, habito tractatu cum uiris discretis, fratribus et commonachis tuis, super premissis’,—ad dictum Ricardum priorem sermonem dirigens—‘cessionem,’ inquit, ‘tuam in nomine domini, licet inuiti, admittimus. Vos a cura regiminis dicti prioratus, quo actenus tenebaris obnoxius, penitus absoluentes. Commendamus etiam curam istius domus in spiritualibus et temporalibus isti bono<sup>2</sup> viro, domino Henrico, priori de Coldi[n]gham’, fratri et commonacho uestro.’ Erat autem presens, et, respiciens in eum, dixit, ‘Iniungimus uobis in uirtute sancte obediencie et sub

<sup>1</sup> in *repeated*, MS.

<sup>2</sup> boni, MS.

pena excommunicacionis, quam ex nunc in personam vestram proferimus si negligentes aut remissi fueritis, ut ea, que uobis iniunximus ex parte domini episcopi uestri, fideliter exequamini.' Ac ille, 'Si debeam ea in faciendo exequi, uolo ea facere per meos.' Tandem supprior ad episcopum, 'Domine, non habeatis pro malo, si placet. Consuetudo istius domus ab antiquo vsitata talis est, quod semper supprior, qui pro tempore fuit, habere solebat curam spiritualitatis tam tempore vacationis, quam tempore prioris in domo existentis in absencia dicti prioris, et supplere vices prioris in spiritualibus, maxime, scilicet, in capitulis celebrandis, confessionibus audiendis, et aliis omnibus et singulis, que ad correccionem et emendacionem religionis et animarum pertinent. Et quod modo meo tempore illa antiqua, approbata et vsitata consuetudo improbaretur, durum michi esset simul et uniuerso conuentui. Ne ergo, domine, si placet, derogetis antique consuetudini, inusitata et inaudita introducentes.' Ad quem episcopus, quasi indignanter, 'Ego satisfaciam voluntati tue quantum ad hoc breuiter, deo dante.' Et conuersus ad *Henricum*, priorem de Coldi[n]gham', ait, 'Domine Henrice, ego commendo tibi uices meas.' Ad suppriorem postea, 'Frater, iam tibi satisfactum est in hac parte, ut michi uidetur.' Et supprior, / 'Domine, non moueamini, si placet. Nichil enim dico in preiudicium vestrum, set pro statu officii mei et pro antiquo more domus saluandis. Non enim aspiro ad aliquam dignitatem temporalem, sciatis.' Et episcopus, 'Nolo uobis in aliquo derogare, nec consuetudini domus hactenus usitate.' Et episcopus Neniensis, 'Ex quo consuetudo uestra talis est, et sic usi estis ab antiquo, excerceatis in nomine domini in spiritualibus que ad officium uestrum pertinent. Et dominus *Henricus* intromittat se in temporalibus.' Et conuersus ad fratrem suum, episcopum *Dunelmensem*, ait, 'Domine, nichil uobis deperit ex hoc.' Et episcopus, 'Bene uolo et concedo, quod faciat que ad officium suum spectant.' Regratiante eum super hiis suppriore vna cum conuentu, surrexit cum suis; egressusque capitulum, uersus Mide[l]ham' iter arripuit, ibidem pernottaturus. Tradite sunt igitur omnes clauces camere prioris et bursarie incontinenti dicto domino *Henrico*, in domo commoranti. Ac ille commendauit curam bursarie dominis *Waltero de Norton*, *Stephano de Houeden* et *Radulfo de Midelham*, tunc librario. Clauces autem erant in custodia librarii, ceteris pro uoluntate sua dispositis.



In crastino uero summo mane missi sunt ad episcopum <sup>28 Dec.</sup> fratres *Ricardus*, supprior, et *Iohannes*, sacrista, ad postulandam eligendi licenciam cum litteris capituli, sub hac forma:

‘Reuerendo patri ac domino karissimo, domino *Antonio* <sup>Littera ad postulandam licenciam eligendi priorem.](r)</sup>  
 . . . . domini Ricardi, quondam prioris nostri . . . . et  
 commonachos dominum Ricardum, suppriorum nostrum,  
 et dominum Iohannem, sacristam nostrum, . . . . / . . . .  
 Valeat &c. Dat’ Dunelmi &c.’ (*As on pp.* 33–34). <sup>2</sup> *fo. 108.*

Et cum dicti nuncii causam aduentus sui coram eo exposuissent, recepit eos benigne. Recepta igitur littera, et coram clericis suis diligenter examinata, concessit eis licenciam per litteram suam patentem talem:

‘*Antonius*, dei gracia episcopus *Dunelmensis*, dilectis in Christo filiis conuentui *Dunelmensi*, salutem, gratiam et benedicionem. Ad presenciam nostram accedentes discreti viri et dilecti in Christo filii *Ricardus* de Hoton’, supprior vester, et *Iohannes* de Hessewel’, sacrista, ad nos cum vestris litteris patentibus destinati, humili nobis ex parte vestra petitione supplicarunt, vt, cum domus vestra per cessionem dilecti in Christo filii domini Ricardi, quondam prioris vestri, sit prioris solacio destituta, vobis priorem eligendi licenciam concedere dignaremur. Nos igitur, vobis affectu paterno compacientes, ac vestris precibus benigne annuentes, saluis in omnibus que ad nos et successores nostros de iure debuerint pertinere, licencie munus vobis concedimus postulate; rogantes et diligenter in domino exhortantes, quatinus vobis virum ydoneum, deo gratum, ecclesie neccessarium, et nobis fidelem et deuotum, vobis in priorem eligere curetis et assumere, vt in ipsius promociione cultus diuinus augeatur, et ecclesiastica negocia comode procurentur, domuique vestre ac patrie pax et tranquillitas preparentur. In premissorum autem testimonium presentes litteras patentes vobis sigillo nostro signatas curauimus destinare. Dat’ apud Midelham’, die Innocencium, anno domini M<sup>o</sup>CC<sup>o</sup>LXXX<sup>o</sup> quinto, consecracionis nostre anno secundo.’ <sup>28 Dec 1285.</sup>

Tradita igitur nunciis littera hac, dixit eis dominus *Wilhelmus* de Brumpton’, <sup>a</sup> ‘Ego sum clericus uester, et uolo uos premunire sicut debeo. Habeatis uos caute in eleccione <sup>[Nota hic.](3)</sup>

<sup>1</sup> *In third hand.*

*p.* 33, line 40, om. spirituali.

<sup>2</sup> *The following variation occurs:* <sup>3</sup> *In third hand.*

fo. 108v.

uestra celebranda. Nec eligatis aliquem contumeliosum, qui diligit mouere contenciones / et bella, set virum mansuetum, pacificum et beneuolum, et qui uelit promouere conuentum, et esse inter eos tanquam vnus ex eis. Eligatis igitur secundum deum et conscienciam de vestris virum ydoneum ad tale officium; nec oportet uos ob id in aliquo moueri, cum habeatis inter vos, ut ita dicam, copiam virorum illustrium pre ceteris domibus religionis uestre tocus rengni. Scirem enim ego nominare inter vos x. uel xij. et eo multo plures, qui satis sufficientes sunt ad regimen prioratus et episcopatus *Dunelmensis*, et etiam archiepiscopatus *Eboracensis*, si uacauerint. Timendum enim uobis est, quod, si modo, quod absit, male elegeritis, non habentes respectum ad deum et conscienciam et ad statum domus uestre, que, ut melius nouistis, isto tempore ponitur tanquam inter malleum [et] incudem, dummodo episcopus uester omnia habet in manu sua causa tuicionis, dico forsan cassabit eleccionem uestram, et ex officio suo dabit uobis priorem, et, si uelit uobis malignari, de alieno forte collegio, qui uobis omnibus plus erit oneri quam honori, et sub cuius regimine nunquam habebitis vnum bonum diem. Et sit ita quod episcopus ex officio suo, cassata eleccione uestra ab manifesto defectu electionis uel persone electi, det uobis priorem de gremio vestro; certe, quicumque fuerit ille, semper plus adherebit episcopo quam uobis; et, si queuis occasio, ut solet, oriretur inter episcopum et vos de capitulo, sustinebit partem episcopi contra capitulum; tanquam per episcopum in gradu prioris positus uel intrusus. Et sic non erit aliqua conueniencia capitis ad membra, nec e conuerso; set eritis tanquam cismatici et discordes. Semper enim cisma et discordia erit (in) uos, quod absit, quod erit uobis omnibus et domui vestre in maximum detrimentum, et quasi in obprobrium sempiternum, et contra testamentum Beati patris Cuthberti, maxime cum non eritis vnanimis in consiliis secundum doctrinam Sancti Cuthberti, quod utique inauditum est in domo *Dunelmensi*, cum retroactis temporibus semper habuistis quamdam prerogatiuam religionis pre ceteris monachis tocus Anglie, et ex gestu uestro potuistis cognosci pre ceteris religiosis. Vnde dici solet inordinatis, "Adeatis Dunelmum, / ut discatis ordinem uestrum."

fo. 109

Hec et hiis similia dicto domino *Willelmo* prosequente, nuncii, a domino episcopo cum summa gracia licenciati,

reuersi sunt Dunelmum cum littera de licencia concessa, hec conuentui nunciaturi. In crastino uero, supprior, prout <sup>29 Dec.</sup> moris est, in capitulo presidente, proposuit coram fratribus omnia, que sibi iniuncta erant ab episcopo seu concessa, vna cum hiis, que a dicto domino *Willelmo* audierat, admonendo omnes et si[n]gulos, ut se tempore uacacionis ordinate haberent, prout aliis temporibus solebant; interdicens eis priuatas collaciones, et, maxime, ne personam alicuius obloquendo uel detrahendo deprauarent, ut aliquas conspiraciones facerent, precipue admonuit, adiciens, quod si aliquis talis inter eos inuentus fuerit, euitabitur ab omnibus in eleccione celebranda tamquam excommunicatus. Conuentu igitur admonicionem supprioris benigne adimplente, caute, bene et ordinate se habuerunt in omnibus; et supprior, prout assolet, officium suum satis discrete cum moderacione exercuit.

In ebdomada uero sequenti, Sabbato, ut reor, venit nuncius episcopi *Dunelmensis*, deferens litteras domino *Henrico*, <sup>5 Jan. 1285/6</sup> continentibus quod acceleraret ad dominum episcopum apud *Aucland'* sub omni festinacione. Quibus uisis et perlectis, celeriter iter arripiens, venit ad eum, secundum quod ei per litteram predictam mandatum est. Salutatoque episcopo humiliter tam ex parte sua quam conuentus, quedam noua et inaudita facienda simulque conuentui nuncianda iniunxit eidem *Henrico* dominus episcopus. Qui, mandato eius obediens, Dominica sequenti Dunelmum rediit, sibi iniuncta ex <sup>6 Jan.</sup> parte episcopi conuentui nunciaturus. Verumptamen eo die siluit, nec aliquid ex hiis cuius locutus est. Die uero Lune <sup>7 Jan.</sup> sequenti, finito capitulo, vocauit suppriorum et multos de conuentu in parua camera prioris; ibique residens, conuentum sic affatus est: ' Boni domini, nudius tercius misit michi dominus noster episcopus litteram suam per nuncium suum, continentem ut ad eum presencialiter quamtocius venirem apud *Aucland'*. Vbi dum uenissem, salutatoque eo ex parte uestra, iniunxit michi quedam uobis intimanda pariter et ex parte sua iniungenda. Rogo igitur in principio, / si placet, <sup>fo. 109v</sup> pro Ihesu Christo pro malo non habeatis, eo quod oporteat me omnibus modis ea, que michi in[i]unguntur a domino nostro episcopo, qui modo, prout nostis, habet curam istius domus, uobis explanare, nec michi imputetis, si qua dixerim, que forte uobis omnibus non cedent ad placitum, set habeatis me excusatum. Dico enim uobis in ueritate, que deus est, et in consciencia mea, quod, quicquid dixerō, nichil faciam,

nisi que cedent in utilitatem domus simul et congregacionis, et que oporteat ut fiant quocunque modo.' Cui supprior, 'Dicatis in nomine domini que uobis placent. Filii obedientie sumus, et uolumus sicut et debemus episcopo nostro et mandatis eius obedire, et maxime in licitis et honestis.' Et ille, 'Dominus noster episcopus,' inquit, 'salutat uos omnes tanquam filios karissimos.' Et iterum, quasi suspirans, 'Vos nostis quod dominus episcopus in presenciam uestram constituit me hic loco sui custodem domus istius, commendans michi vices suas. Et quia, prout audiuit per interuenientes, non per me, deus scit, quod non intromisi me nisi in temporalibus, supprior domus circa spiritualia occupato, iam de nouo precepit michi, ut haberem curam suam, et explerem vices suas tam in spiritualibus quam etiam in temporalibus, asserens se nolle aliquem dominari in domo nisi ad mandatum ipsius in aliquo, ex quo domus in custodia ipsius est, maxime cum ipse patronus et dominus loci [est]. Et quamuis aliquandiu reclamarem, antiquas consuetudines domus, indignacionem fratrum et alia, prout michi dedit dominus, coram se et clericis suis pro statu meo et obseruanciis domus allegando, tandem tamen commotus ad hec dominus episcopus ait, "Nos iniungimus vobis in uirtute sancte obediencie et sub pena excommunicationis maioris, quam ex nunc in personam uestram proferimus, si non parueritis, ut suppleatis vices nostras tam in temporalibus quam etiam in spiritualibus secundum gratiam uobis a deo concessam, uidelicet / in capitulis celebrandis, correccionibus et aliis omnibus et singulis faciendis, que ad emendacionem animarum et profectum domus pertinent in interioribus et exterioribus; iniungentes nichilominus omnibus et singulis de capitulo, quod sint uobis intendentes in hac parte, tanquam nobis, si presentes essemus, et tanquam posito inter eos loco nostri." Ego quidem, considerata temporum malicia, cogitans intra me, ne deteriora domui et nobis omnibus possent euenire, cum non possem me honesto modo excusare, mandatis eius simul et monitis, licet inuitus, obtemperauit. Vos dicetis michi uelle vestrum, prout melius circa premissa uideritis expedire. Frater enim uester sum, nec suspicemini michi, si placet, aliquid sinistrum. Vellem enim, deus nouit, pro posse meo, ut omnia bene se haberent.' Quibus auditis, sederunt omnes aliquandiu sub silencio. Quidam tamen passim submurmurabant talia inaudita a seculo et inconsueta in domo *Dunelmensi*. Cui tandem sic



fuit responsum: 'Domine, bene scimus quod nichil cogitatis nec uultis nisi bonum; tamen ex consilio nostro super hiis uolumus conferre ad inuicem.' Cumque quesitum esset ab eodem vtrum haberet litteram domini episcopi super hiis, respondit quod non, set episcopus oretenus iniunxit ei talia et plura alia, que adhuc nollet explanare, nisi neccessitas eum ad hoc compelleret, et hoc forte non expediret aliquibus. 'Satis enim debetis michi,' inquit, 'credere sine littera.' Dictumque fuit a sibi adherentibus, quod quedam habuit, que nobis et sibi magis prodesse oclutata quam uisa uel manifestata. Dicebant etiam aliqui, quod illa littera, quam prius uiderant, satis fuit simplex et in communi forma, nec aliud huiusmodi in ea continebatur, set tantum quod dominus episcopus noster committebat sibi vices suas, donec duxerit eas reuocandas, nulla facta mencione de temporalibus aut spiritualibus. Vnde multum supplicabant ei, quod non excederet formam in littera sua contentam. Et cum non proficerent, responsum est, / 'Domine, uos melius nostis libertates fo. 110v. domus istius quam nos, qui iuniores sumus; tamen audiuius et uidimus in parte quod nunquam solebat aliquis episcopus tempore uacacionis aliquem ponere custodem, nisi ad tuicionem domus, et non ad alicuius potestatis exercicium, set solummodo solebant episcopi habere in domo vnum clericum uel duos, qui cameram habebant deliberatam; sibi apposis in Cf. p. 31. mensa et alibi contenti erant.<sup>5</sup> Rogamus uos, tanquam fratrem et commonachum, ne aliquid extra morem consuetum faciatis. Verumptamen exclusi sumus in parte, ut nobis uideatur, iam ab illis libertatibus antiquis et actenus vsitatis. Amissimus enim modo, qui curam debeant habere in exterioribus, prout satis patet, dum uos per uestros curam agitis in exterioribus, tanquam positus hic per episcopum, qui de iure debetis tueri domum, tum quia ad tuicionem domus et non ad excercendam aliquam potestatem loco episcopi hic esse debetis, tum quia frater noster estis, et vnus de capitulo, et magis deberetis mori uelle pro domo uestra, quam aliquas exactiones nouas et inauditas introducere uel introduci pro posse permittere. Nondum enim usque ad sanguinem, ut nobis uidetur, Heb. xii, 4. restitistis. Insuper quod nos modo, amissa cura in temporalibus, lugubri sorte isto tempore perdamus in spiritualibus, durum nobis uidetur pariter et graue. Multi nostrum, qui adhuc supersunt, viderunt tempore ultime uacacionis, quando cessit dominus Hugo, quo[n]dam prior noster, quod dom-

<sup>5</sup> Inserted in darker ink.

- Cf. p. 35. inus Willelmus de Witeby et Alanus clericus, qui positi fuerunt custodes per dominum Robertum de Sthichille, tunc episcopum *Dunelmensem*, cuius anime propicietur altissimus, morabantur in domo modo consueto, nichil<sup>1</sup> omnino agentes preter modum consuetum. Et licet ad insueta pro posse niterentur, tamen non preualuerunt; set ad leuem supplicationem episcopo nomine conuentus factam omnia de facili bene se h[ab]uerunt in interioribus simul et exterioribus, episcopo id per omnia uolente, et ad simplicem rogatum conuentus iubente. Et semper supprior domus absque reclamacione intromisit se in spiritualibus; nec est auditum a seculo, quod aliquis loco episcopi in domo de huiusmodi aliquam / mencionem saltem fecerit. Similiter quando cessit Bertramus, quondam prior, tempore vacacionis viderunt quidam nostrum Rogerum de Waltham', tunc constabularium castri, custodem domus ex parte episcopi, scilicet domini Walteri de Kirkeham', positum ad tuicionem domus tantum, et non ad alicuius potestatis exercicium, et dominus Hugo de Derlington', qui tunc fuit supprior, habuit curam in spiritualibus. Nec audi[i]mus aliud nec uidimus a fundacione istius domus usque in presens, nisi custodes per episcopum positi fuerunt ad tuicionem domus et non ad dominium. Preterea, domine, pro malo non habeatis, si placet. Constat nobis omnibus, quod dominus Ricardus, quo[n]dam prior noster, iam cessit, et quod sedes prioratus uacat per cessionem factam et admissam; et quod modo aliquis se habeat in domo tanquam prior, sede uacante, habens potestatem seu exercens in spiritualibus simul et temporalibus, cum ista duo solummodo pertineant ad officium prioris, quod sedes uacet et prior, uel quasi, sit in domo simul et semel, ista uidentur nobis quasi impossibilia.' Ad hec dictus *Henricus* aliquantisper motus, 'Sciatis pro certo quod non aspiro ad prioratum. Set oportet me de neccessitate exercere ea que michi iniu[n]guntur a domino nostro episcopo, qui modo est capud capituli immediate, ut asserit, cum alio tempore, prioris scilicet in domo existentis, sit mediate capud nostrum, licet capud ecclesie fuerit. Est enim modo et capud ecclesie et capituli, nullo medio interueniente. Nec audeo quicquam pretermittere de hiis, que michi a capite meo et episcopo iniunguntur. Res enim in arto est. Aut ostendatis michi qualiter possim euitare sentenciam in me latam pariter et indignacionem domini nostri episcopi, quam nolo quouis

<sup>1</sup> i  
n, MS.

modo incurrere, aut oportet me de neccessitate facere que ad officium meum pertinent. Satis enim motus est contra plures de collegio isto, quod inpresenciarum nimis manifestum est. Patet, ut ita dicam, iam ad oculum, quia, nisi esset ista sua commocio, forte talia a nobis non exigerentur, quod dolens dico.' Tandem dictum fuit, ' Domine, ista res tangit omnes de professione, et adeo bene eos, qui in diuersis cellis comorantur infra regnum et extra, quam nos, qui domi sumus, et secundum quod uolunt / iura, " Quod omnes tangit ab omnibus debet approbari uel reprobari " <sup>fo. IITV.</sup> <sup>Code, V, lix, 5.</sup> a; et ideo petimus inducias usque aduentum fratrum nostrorum, qui extra morantur, qui modo, ut credimus, sunt in ueniendo, quibus forte res ipsa magis innotuit quam nobis, tunc responsuri sicut deus inspirauerit. Iam enim scripsimus eis uos bene nostis.' Ac ille subridens ait, ' Non audeo ista facere. Temporis enim instantia talia non requirit. Timeo enim michi, ne propter dilacionem rei aliquod nouum mandatum a domino nostro episcopo superueniat, vnde possemus omnes grauari, quod utique nollem eueniret ob negligenciam meam.' Tandem ad maximam instanciam supprioris et fratrum vix optinuerunt inducias vsque in diem tercium, scilicet diem Mercurii proximo sequentem.

9 Jan.

In crastino uero, scilicet die Martis, adiit supprior cum quibusdam sociis dominum Hugonem, quo[n]dam priorem, qui tunc moram faciebat apud Finchale, super predictis consulturus. Quibus promisit quod omnibus modis in crastinum veniret Dunelmum ad capitulum, super hiis et aliis colloquium cum conuentu habiturus. Quo die adueniente, pulsato signo ad capitulum, supprior capitulum ingreditur vna cum conuentu, dicto Henrico se absentante. Et correctis corrigendis, aliquandiu expectabant aduentum domini *Hugonis*, quo[n]dam prioris. Quo non ueniente, ut promiserat, dixit supprior pro statu suo, ' Ego protestor coram uobis omnibus me uelle ob[ed]ire episcopo meo in licitis et honestis, sicut debeo.' Et hoc tercio dicto, ecce subito uenerunt domini *Adam* de Gilli[n]g' et *Ambrosius* de Banburg, missi a domino Hugone, excusantes ipsum, quod eo die non poterat uenire / propter infirmitatem suam, que eum nocte preterita ultra modum grauabat, affirmantes quod omnibus modis ueniret in crastino, deo uolente, adicientes etiam se habere in mandatis, quod supplicarent dicto domino Henrico ex parte sua, quod nichil faceret omnino de predictis ante aduentum suum crastinum. Quod et factum est.

8 Jan.

9 Jan.

fo. I12.



10 Jan.

Die uero crastino, scilicet die Iouis, veniente domino Hugone, quo[n]dam priore, vocato suppriori cum multis aliis de conuentu in domo communi, contulerunt ad inuicem super premissis vna cum clericis suis, qui tunc domi erant. Habitoque longo tractatu, tandem dictum fuit, ' Dominus prior Dunelmensis, qui pro tempore fuerit, ex officio suo potest substituere suppriori et amouere pro libitu suo, non requisito alicuius assensu, et ita facit; et sic mutabilis est supprior pro uoluntate superioris sui. Cum igitur iam expirauit potestas domini Ricardi, quo[n]dam prioris nostri, per cessionem suam siue resignacionem, in manu domini nostri episcopi factam pariter et admissam, videtur quod etiam iurisdiccio supprioris, per dictum dominum Ricardum constituti, omnino sit adnullata, et cura tocius domus in spiritualibus et temporalibus ad episcopum totaliter deuoluta sit, tanquam ad patronum loci et capud capituli inmediate. Preterea palam est quod dies mali sunt, et oportet nos isto tempore omnibus modis condescendere episcopo nostro, quia, si uellemus super hiis contendere cum eo, non possemus resistere ei, nec erit nobis alicubi hiis diebus refugium, maxime cum modo habeat et nos et nostra omnia tanquam inclusos in manu sua. Ecce Eboracenses iam insurrexerunt contra nos pro uiribus, ut patet.<sup>a</sup> Si igitur curiam appellamus, cum id innotesceret episcopo, statim fulminabit in nos, et omnia nostra, que nunc sub prote[c]tione sua sunt, confiscabit. / Et sic intraremus mare magnum et spaciosum non sine fluctibus temptacionum et profusione expensarum, committentes vela uentis et nos et nostra periculis. Et licet persecucio presens istarum exaccionum nos omnes generaliter respiciat, specialiter tamen quosdam nostrum, quos episcopus noster exosos habet, etiam si non meruerint. Dicitur enim a multis quod odio capitis alicuius nostrum episcopus noster spiritualia sibi uendicat cum temporalibus. Satius<sup>1</sup> est enim vnum capud ad tempus in parte periclitari, quam nos omnes et domum nostram ineuitabili discrimini exponere, maxime cum<sup>2</sup> ista persecucio magis sit personalis quam generalis. Parendum est igitur uoluntati episcopi nostri ad tempus. Speramus enim quod omnia bene se habebunt in breui per dei gratiam. Faciat ergo dominus Henricus que sibi in[i]uncta sunt in dei nomine. Frater noster est et commonachus, et certe homo magne discrecionis et bone consciencie. Nichil enim faciet nisi ad profectum domus et congregacionis, quia,

fo. 112v.

<sup>1</sup> sacius, *MS.*; sanctius *in margin.*<sup>2</sup> cum *repeated, MS.*



si aliter faciat, uertetur sibi in obprobrium sempiternum, quod absit. Habeamusque nos caute et ordinate; nec inueniat in nos uel aliquem nostrum aliquis materiam obloquendi.' Et supprior, 'Ex quo uobis omnibus placet, bene contentus sum.' Prefuit igitur dictus Henricus, in domo per episcopum positus, a die illo et deinceps usque ad electionem et electi futuri confirmationem, satis curialiter et bene in cun[c]tis se habens. Omnibus de domo erat solacio, vniuersis se amabilem, tanquam socium in singulis exhibendo. Supprior tamen confessiones audiebat, et in absentia dicti *Henrici* officium suum exercebat.<sup>a</sup>

Igitur fratres electionem accelerare per omnia desiderantes, statim accepta littera domini episcopi, superius notata, de licencia eligendi concessa, scripserunt omnibus fratribus extra morantibus sub hac forma:

'Ricardus, supprior . . . . / . . . . domini Ricardi . . . . *fo. 113.*  
tercio Id' Ianuarii . . . . (*As on pp. 35-36*)<sup>4</sup> . . . legi faciatis. *11 Jan. 1285/6.*  
Scituri quod siue veneritis siue non in die supradicto, absentia vestra uel alicuius vestrum non obstante, in negocio electionis sub diuina fiducia procedere non omittemus. Valete in domino. Dat' Dunelmi, vij. Id' Ianuarii, anno domini M<sup>o</sup>CC<sup>o</sup> octogesimo quinto.' *7 Jan.*

Igitur adueniente predicto die electioni celebrande prefixo, conuenientibus et presentibus omnibus in capitulo *Dunelmensi*, qui debebant, uolebant et comode poterant interesse,<sup>b</sup> supprior sermonem electioni conuenientem fratribus luculenter satis faciebat. Finitoque sermone, et correctis corrigendis, inuocata spiritus sancti gracia in principio electionis, tractatum habebant in communi per quam uiam formarum, super electionibus editarum, tucius esset procedendum. Dictumque fuit quod periculosum esset per uiam scrutinii procedere, tum propter fratrum multitudinem, qui ad electionem con[ue]nerant, quia breuitas temporis se non tenderet ad exprimenda uota si[n]gulorum, tum quia forte nominarentur diuerse persone, occasione cuius multa mala processu temporis poterint domui euenire tam in personis quam etiam rebus. / Conferentibus aliquandiu super hiis ad inuicem, tandem, ponderatis omnibus et singulis diligenti deliberacione a[d] dictum negocium pertinentibus in spiritualibus et temporalibus, placuit omnibus et singulis per uiam *fo. 113v.*

<sup>a</sup> *The following variations occur :* tentum quod; 10, vobis mandamus;  
*p. 36, line 4, domino Antonio dei* 12, personaliter intersitis.  
*gracia episcopo; lines 7, 8, cau-*

procedere compromissi. Et sic electi sunt de vnanimi consensu tocius capituli vij. fratres fidedigni, omni morum honestate preediti, viri utique religiosi, litterati et discreti, quorum nomina inferius patebunt, in quos compromiserunt, ut vice sua et illorum tociusque collegii ipsi monasterio per electionem canonicam de substituendo priore prouiderent, eisdem specialem potestatem per litteram suam conferentes,<sup>1</sup> sigillo capituli singnatam, istius tenoris:

‘ In nomine patris et filii et spiritus sancti, amen. Anno domini M<sup>o</sup>CC<sup>o</sup> octogesimo quinto, pontificatus reuerendi patris domini *Antonii*, dei gracia *Dunelmensis* episcopi, tercio, ecclesia *Dunelmensis* per cessionem domini Ricardi, quondam prioris eiusdem, in manu dicti patris factam et admissam, prioris solacio destituta, petita, ut moris est, ab eodem licencia eligendi et optenta, die quoque certo, videlicet tercio Id’ Ianuarii, ad eligendum prefixo, et citatis interim ad dictum diem citandis, ac tunc presentibus in capitulo *Dunelmensi* omnibus qui electioni celebrande debuerunt, uoluerunt et comode potuerunt interesse, inuocata primum spiritus sancti gracia, post diuersos tractatus habitos tandem lecta constitutione concilii generalis *Qu[?]a propter*, placuit vniuersis et singulis per viam procedere compromissi, ac dicte ecclesie de priore prouidere. Et sic nos, Ricardus supprior *Dunelmensis*, Henricus de Hornecastr’ &c., videlicet omnibus nominatim scriptis, vnanimi consensu et uoluntate vos, Hugonem de Derlington’ quondam priorem *Dunelmensem*, Ricardum de Eskerik’ priorem de Finchale, Rogerum de Metheley priorem de Insula, Iohannem de Hessewelle sacristam *Dunelmensem*, Willelmum / Luterale elemosinarium eiusdem loci, Gilbertum de Schireburn’ sacristam de Coldingham’ et Radulfum de Midelham’ librarium *Dunelmensem*, fratres et commonachos nostros, eligimus, specialem potestatem vobis tenore presencium conferentes, vt uos uel maior pars vestrum vice uestra et nostra tociusque collegii per electionem canonicam uel nominacionem sole[m]pnem de uobis uel aliis, prout conuenerit inter uos, dummodo de collegio nostro, prouideatis de substituendo priore; ita quod . . . (*As on p. 55, line 13, to line 24*)<sup>1</sup> . . . vnanimiter in priorem. In cuius rei testimonium huic scripto sigillum capituli

<sup>1</sup> per litteram *repeated*, MS.

<sup>2</sup> *The following variations occur*:  
p. 55, line 13, *conpromiss*.; lines

16, 17 supradicte eligat in priorem.  
Eleccion-; line 23, *om.* seu postulauerit.

Decret,  
lib. i.  
tit. , vi,  
cap. 42.

11 Jan.

fo. 114.

nostri fecimus apponi. Dat' in eodem capitulo, die et anno prenotatis.'

Sedentibus itaque predictis vij. compromissariis in ordine suo iuxta conuentum, et expectantibus litteram commissionis sue, que iam erat in scribendo, cum videret dictus Henricus quod totus conuentus vnanimiter et absque omni reclamacione in eos consentiret, illico surrexit de loco, in quo presidebat, et ait, 'Fratres mei dilectissimi, non credatis me hic presidere loco episcopi, uel tanquam per episcopum custodem istius domus positum, si placet. Fateor quidem et protestor coram uobis omnibus me huic eleccioni tanquam fratrem et commonachum interesse et priorem de Coldingham'.<sup>a</sup>

Et licet sermo placeret aliquibus, pluribus tamen uertebatur in scandalum, dum uiderent et audirent, prout conui[n]ci / poterant, quod contra conscienciam suam loqueretur os eius. Dicebant enim submurmurando, 'Nonne adhuc preest et habet primam uocem in capitulo, sicut esset prior domus,

Queratur  
ista  
confessio sub  
manu  
publica in  
fine  
electionis ad  
hoc signum  
γ.

fo. 114v.

maxime in presencia supprioris nostri, et profitetur in contrarium? Quis enim uidit aut audiuit retroactis temporibus usque nunc priorem alicuius celle domus *Dunelmensis* presidere in capitulo isto, presente suppriori *Dunelmensi*? Et certe supprior istius domus, ubicunque fuerit, in absencia prioris *Dunelmensis*, tam tempore vacationis quam tempore prioris in domo existentis, ex officio suo debet presidere et corrigere que uiderit correccione indigere, tam super priores et custodes cellarum, quam super claustrales et alios infra domum et extra regulariter commorantes.' Quidam autem uidentes et audientes sic, pre admiracione siluerunt, nichil temere diffinientes. Erant autem vnanimiter perseuerantes in oracione, deum et Sanctum Cuthbertum pro statu suo necnon et ecclesie sedulo interpellantes. Igitur confecto scripto prenotato commissionis, et sigillo capituli signato, publiceque coram omnibus recitato, traditum est dictis vij. compromissariis communi omnium assensu et voluntate. Dictumque est eis per presidentem ex parte totius capituli, 'De fidelitate uestra et puritate consciencie uestre per omnia securi, ecce iam reliquimus uobis nos et consciencias nostras per scriptum nostrum, sigillo communi capituli *Dunelmensis* singnatum, quod penes uos habetis in testimonium. Iniungimus igitur uobis in uirtute sancte obediencie et in periculo animarum uestrarum et conscienciarum et sub obtestacione diuini iudicii, quatinus deliberetis uos, consciencias uestras et nostras integras et illesas ante omnia et in omnibus pro posse



fo. 115.

seruantes, talem ad officium prioratus *Dunelmensis* ecclesie eligentes, secundum quod uobis datum fuerit desuper, qui sit deo gratus et acceptus, nobis et ecclesie *Dunelmensi* necnon et religioni ydoneus, utilis et neccessarius, et pro quo uultis respondere / coram summo iudice in ultimo examine. Exoneramus etiam nos et consciencias nostras, totum onus presentis electionis et opus instantis negocii capitum vestrorum periculo totaliter decetero committentes. Eatis igitur, et ea, que uobis in[i]uncta sunt, secundum deum et conscienciam in nomine domini exequamini.' Et sic, oracionibus omnium fratrum muniti, dicti vij. compromissarii cum benedictione fraterna in partem secesserunt, super eleccione tractaturi, predictum instrumentum secum habentes. Ibique iterum flexis genibus, inuocata spiritus sancti gracia, demum resederunt, ad inuicem de diuersis personis conferentes. Et, habito longo tractatu, a prima hora diei fere usque in uesperam eleccionem protelabant, tota die conuentu plurimum fatigato in capitulo e regione sedente, et euentum rei vnanimiter expectante. Tandemque, habita diligenti deliberacione, in certam personam modo inferius notando pariter consenserunt. Quo facto, scripta sua super consensu electionis et eleccione facienda necnon pronuncianda ibidem ordinauerunt, vni eorum, uidelicet domino Gilberto de Schireburne, potestatem suam certam personam, in quem omnes consenserant, eligendi, necnon eleccionem coram conuentu pronunciandi, totaliter conferentes per litteram suam patentem, sigillis eorum necnon et sigillo capituli ad procuracionem eorum singnatam. Cuius tenor talis est:

Compromissio  
vj. compromissario-  
rum vni  
eorum facta.

'In nomine domini, amen. Nos, Ricardus de Escrek' prior de Finchale, Rogerus de Methley prior de Insula, Iohannes de Hessewelle sacrista *Dunelmensis*, Willelmus Luterele elemosinarius, Radulfus de Midelham' librarius *Dunelmensis*, Gilbertus de Scireburn' sacrista de Coldi[n]g-ham', fratres et commonachi ecclesie *Dunelmensis*, electi a capitulo eiusdem ecclesie, et in nos ac fratrem Hugonem de Derlington' ab eis speciali potestate collata, et per nos reuerenter accepta, ut vice omnium prouideamus / ecclesie supradicte de substitucione prioris, prout in littera eorum inde confecta plenius continetur, secedentes in partem cum dicto fratre Hugone, inuocata spiritus sancti gracia, de diuersis personis precedente tractatu, et deliberacione prehabita diligenti, monasterii nostri utilitate pensata, et personarum uariarum meritis ponderatis, memorato Hugone

fo. 115v.



de Derli[n]gton' ad rogatum nostrum in partem secedente, deum pre oculis habentes, vice nostra et tocius capituli *Dunelmensis* in certam personam, scilicet predictum fratrem Hugonem, commonachum nostrum, virum vtique prouidum et discretum, in spiritualibus et temporalibus circumspectum, consentimus in priorem ecclesie *Dunelmensis* eligendum. Quocirca nos, Ricardus de Escrik' prior de Finchale, Rogerus prior de Insula, Iohannes sacrista, Wilhelmus elemosinarius, et Radulfus librarius *Dunelmensis* ecclesie, tibi, fratri Gilberto de Schirburn', sacriste de Coldi[n]gham', concom[pro]missario nostro, specialiter mandamus, et potestatem in hiis scriptis committimus specialem, ut tu vice tua et nostra ac tocius capituli *Dunelmensis* dictum fratrem Hugonem in priorem ecclesie *Dunelmensis* eligas et publices in communi. Et, ut presenti instrumento fides adhibeatur, istud sigillis nostris signauimus, et ad probacionem euidentiore sigillo capituli nostri procurauimus signari. Actum in eodem capitulo, tercio Id' Ianuarii, anno gracie M<sup>o</sup>CC<sup>o</sup> octogesimo quinto.'

Tradita siquidem potestate domino<sup>1</sup> Gilberto, et accepta, per dictam litteram, sigillis vj. sociorum suorum compromissariorum vna cum sigillo capituli *Dunelmensis* signatam, et ordinata ibidem eleccione, sur[r]exerunt omnes vij. compromissarii simul, et ad gradum capituli venientes cum maturitate, dictus Gilbertus dominum Hugonem de Derli[n]gton' in scriptis elegit in priorem, et eleccionem coram omnibus publicauit sic, stantibus illis vij. compromissariis ad gradum capituli.

' In nomine patris et filii et spiritus sancti, amen. Anno domini M<sup>o</sup>CC<sup>o</sup>LXX[X]<sup>mo</sup> quinto, pontificatus reuerendi patris domini Antonii *Dunelmensis* episcopi tercio, ecclesia *Dunelmensis* per cessionem domini Ricardi, quondam prioris eiusdem, in manu predicti patris factam et admissam, prioris solacio destituta, petita ab eodem domino episcopo eligendi licencia et optenta, tercio Id' Ianuarii, / die ad eligendum prefixo, vocatis interim ad dictum diem vocandis, et tunc presentibus omnibus qui electioni celebrande debuerunt, voluerunt et comode potuerunt interesse, placuit omnibus et singulis per<sup>3</sup> viam procedere compromissi. Et sic elegerunt in capitulo viros fidedignos, fratres Hugonem de Derlington', Ricardum de Escrik'

11 Jan.  
1285, 6.

Electio  
[Hugonis  
prioris.] (2)

fo. 116.

[Secunda  
electio  
Hugonis  
prioris post  
cessionem  
Ricardi  
Claxton] (2)

<sup>1</sup> domino repeated. MS.

<sup>3</sup> pro, MS.

<sup>2</sup> In third hand

priorem de Finchale, Rogerum de Methaley priorem de Insula, Iohannem de Hessewel' sacristam, Willelmum Luterele elemosinarium, et Radulfum de Midelham' librarium ecclesie *Dunelmensis*, et me, Gilbertum de Schireburn', sacristam de Coldingham', cum eis; in nos potestatem specialem transferentes, vt nos omnes seu maior pars nostri prouideremus seu prouideret de priore ecclesie *Dunelmensi*, ita quod vnus nostrum de consensu et mandato aliorum concompromissariorum uel maioris partis eorum vice sua et collegarum ac tocius collegii illum, in quem nos conueniremus seu maior pars nostrum conueniret, ecclesie *Dunelmensis* in priorem eligeret. Et sic fuimus electi vice omnium de collegio, prout in littera compromissi, sigillo capituli signata, plenius continetur. Vnde ego, frater Gilbertus, sacrista de Coldi[n]gham', habens ad hoc a dictis [con]compromissariis meis specialem potestatem et mandatum, prout in littera ipsorum super hoc confecta plenius continetur, pro eisdem Ricardo, Rogero, Iohanne, Willelmo et Radulfo, vice mea, ipsorum et omnium aliorum, in eleccione ius habencium, de mandato dictorum concompromissariorum meorum speciali, dominum Hugonem de Derlington', vnum de concompromissariis nostris, in quem omnes consentimus, in hiis scriptis eligo in priorem ecclesie *Dunelmensis*, et ipsam eleccionem de predictorum collegarum meorum approbacione et consensu solempniter publico in communi. In cuius rei testimonium presenti scripto sigillum capituli nostri est appensum. Actum in eodem capitulo, die et anno prenotatis.'

[Nota.](1)

Quo facto, omnes et singuli eleccionem cum gaudio acceptantes, instanter supplica[ru]nt dicto Hugoni, ut eleccioni de se tam canonice facte assentiret; et [eum] ad assensum, licet diu renitentem, produxerunt. Et incontinenti sedentes, decretum processus scribi fecerunt, cuius tenor talis est:

Decretum.

fo. 116v.

Decret.,  
lib. 1,  
tit. vi,  
cap. 41.

' Venerabili patri in Christo ac domino reuerendo, domino *Antonio*, dei gracia episcopo *Dunelmensi*, deuoti filii sui / capitulum eiusdem ecclesie, salutem, et tam deuotam quam debitam obedienciam cum reuerencia et honore debitis tanto patri. Sacris canonibus nouimus esse cautum, ut ultra tres menses prelato proprio cathedralis uel regularis non vacet ecclesia, ne lupo rapax pro defectu pastoris seu prelati gregem inuadat dominicum, aut in suis facultatibus ecclesia viduata, seu prelati seu prioris solacio

destituta, graue dispendium paciatur. Eapropter ecclesia Dunelmensis supradicta per cessionem religiosi viri domini Ricardi, quondam prioris eiusdem, in manibus vestre sanctitatis factam, et a vestra paternitate admissam, prioris solacio destituta, petita, prout moris est, a vobis licencia . . . . (*As on p. 76, lines 7-15.*)<sup>1</sup> . . . . prouidere. Deditusque potestatem specialem vnanimi consensu et voluntate fratribus Hugoni de Derli[n]gton', Ricardo de Escrik' priori de Finchale, Rogero de Metheley priori de Insula, Iohanni de Hessewelle sacriste Dunelmensi, Willelmo Luterele elemosinario eiusdem loci, Gilberto de Schireburn' sacriste de Coldi[n]gham', et Radulfo de Midelham' librario Dunelmensi, commonachis nostris, vt ipsi uel maior pars eorum vice sua, nostra tociusque collegii per eleccionem canonicam vel nominacionem sole[m]pnem de ipsis uel aliis, prout conuenirent inter se, dummodo de collegio nostro, prouiderent de priore substituendo; ita quod vnus ex eis de consensu aliorum concompromissariorum uel maioris partis eorum vice sua et collegarum ac nostra illum, in quem ipsi omnes conuenirent seu maior pars eorum conueniret, nobis et ecclesie nostre supradicte eligeret in priorem, eleccionemque solempniter in nostra presencia publicaret. Promittentes nos ratum habituros et gratum quicquid per ipsos vel maiorem partem ipsorum / circa huiusmodi eleccionem modo prescripto fuerit ordinatum, quodque eum, quem vnus eorum de aliorum omnium seu maioris partis assensu et mandato vice ipsorum, sua et nostra eligeret, absque reclamacione<sup>2</sup> qualibet seu contradiccione reciperemus vnanimiter in priorem, sicut in littera super hoc confecta, sigillo capituli singnata, plenius continetur. Qui omnes vij. talem potestatem, in scriptis, ut premittitur, redactam, deuote ac humiliter acceptantes, in partem secesserunt, et iterato inuocata spiritus sancti gracia, de diuersis personis, prout nobis postmodum retulerunt, precedente tractatu, et deliberacione prehabita diligenti, fratre Hugone de Derli[n]gton' predicto, vno de dictis vij. compromissariis, ad rogatum aliorum sex collegarum suorum in partem secedente, memorati sex, solum deum pre oculis habentes, in dictum fratrem Hugonem vice sua et tocius capituli in omni concordia vnanimiter consenserunt nobis et ecclesie Dunelmensi in priorem elig-

fo. 117.

<sup>1</sup> The following variation occurs:  
line 15, predicte.

<sup>2</sup> reclamaçoe, MS.

endum, virum vtique sufficientem et ydoneum, de legitimo matrimonio susceptum, prouidum, discretum, in spiritualibus et temporalibus circumspectum, moribus et vita merito commendandum, quem frater Gilbertus de Schirburne, vnus de dictis compromissariis, de rogatu et speciali mandato collegarum suorum, videlicet Ricardi, Rogeri, Iohannis, Willelmi et Radulfi, in scriptis redacto, et ab eodem acceptato, in hunc modum elegit:

“ In nomine patris et filii et spiritus sancti, amen.  
Anno domini ” &c, ut supra ad hoc signum 7.<sup>1</sup>

Dictam uero eleccionem, sic canonice et sole[m]pniter celebratam et publicatam, continuo:

Dictus Gilbertus cum collegis suis ad nos accedens, dictam eleccionem sic factam in nostra presencia sole[m]pniter publicauit; quam eleccionem nos omnes et singuli vnanimiter et concorditer acceptauimus et approbauimus. Vocatoque clero et populo, eandem eleccionem coram ipsis iterato solempniter fecimus publicari, ympnumque *Te deum laudamus* more solito decantauimus consequenter. Cui quidem eleccioni, licet predictus frater Hugo ab initio requisicionis minime consentiret, precibus tamen multiplicibus et fratrum instancia tandem deuictus, plenum et expressum consensum prebuit et assensum. Reuerende igitur paternitati et dominationi vestre duximus vnanimiter supplicandum, quatinus, si placet, eleccionem supradictam affectione paterna acceptantes, eam dignemini confirmare, circa electi nostri personam / quod vestrum est fauorabiliter adimplentes. Vt autem omnium nostrum vota in predictis et singulis omnibus concordasse, et in hanc eleccionem noscatis conuenisse, reuerende paternitati vestre hoc canonicum decretum mittimus roboratum propriis manibus et subscriptum, et ad maiorem cautelam sigillo capituli nostri sigillatum. Dat' in capitulo nostro *Dunelmensi*, Id' Ianuarii, anno gracie supradicto. Ego frater Ricardus de Hoton', supprior *Dunelmensis*, hiis omnibus et singulis consensi et consencio, ac propria manu subscribo et signo +.

fo. 117 v

13 Jan.  
1285 6

13 Jan.

Dominica vero sequenti dictus electus cum suis versus episcopum iter arripuit. Inter quos duo dati erant procuratores specialiter coniunctim et diuisim ad petendam con-

<sup>1</sup> It appears to have been omitted above.



firmacionem et negocium eleccionis prosequendum, videlicet domini Ingramus de Chatton' et Iohannes de Eluet, habentes litteram procuratoriam talem:

' Venerabili patri in Christo ac domino reuerendo, domino Antonio, dei gracia episcopo Dunelmensi, deuoti filii sui Ricardus, supprior Dunelmensis, et eiusdem loci capitulum, salutem, et tam deuotam quam debitam obedienciam cum reuerencia et honore debitis tanto patri. Ad presentandum reuerende paternitati vestre fratrem Hugonem de Derli[n]gton', electum nostrum in priorem ecclesie Dunelmensis, et ad eleccionis ipsius et electi negocium nomine nostro et ecclesie nostre prosequendum dilectos nobis in Christo, confratres et commonachos nostros, Ingramum de Chatton' et Iohannem de Eluet, coniunctim et diuisim nostros ordinamus, facimus et constituimus procuratores; dantes eisdem et eorum alteri per se potestatem plenariam et mandatum speciale agendi, defendendi, appellandi, appellacionem prosequendi, iuramentum de calumpnia et de ueritate dicenda et quodlibet aliud genus liciti sacramenti in animas nostras prestandi, et omnia alia et singula faciendi in premissis, que per veros et legitimos procuratores poterunt expediri. Ratum et gratum habituri quicquid per predictos procuratores vel eorum alterum in premissis fuerit actum uel procuratum. Pro eisdem etiam et eorum altero sub ypoteca rerum nostrarum iudicatum solui promittimus. Et hoc omnibus quorum interest tenore presencium significamus. In cuius rei testimonium &c. Dat' &c.'

*Procuratoria ad petendam confirmacionem eleccionis.*

Accelerantibus igitur ad dominum episcopum, qui in itin-  
erando tunc erat uersus dominum / regem, eum apud Bag-  
wrthe repperunt. Qui salutantes eum humiliter ex parte  
conuentus, dictum dominum Hugonem, electum suum,  
eidem prouide presentauerunt, deuote quidem et humiliter  
supplicantes, quatinus eleccioni, de ipso tam canonice facte,  
paternum impertiendo assensum, eam dignaretur confirmare.  
Examinatis dictis instrumentis vna cum procuratoriis et  
tribus electoribus, qui tantum ibi presentes erant, vocato ad  
se electo, colloquium habuerunt ad inuicem, et sic ad pran-  
dium accesserunt, cum episcopo pernoctaturi. In crastino  
uero post missam absque omni difficultate eleccionem accep-  
tans, electum confirmauit, confirmacionem in scriptis pro-  
ferens. Confirmacioneque solempniter peracta, et accepta ab

fo. 118.

21 Jan.

22 Jan.

episcopo cura temporalium et spiritualium, electus<sup>1</sup> fecit episcopo canonicam obedienciam, et sic cum summa iocunditate recesserunt ab inuicem, litteram domini episcopi conuentui directam secum portantes, sub hac forma:

‘*Antonius*, permissione diuina episcopus *Dunelmensis*, dilectis in Christo filiis suppriori et capitulo loci eiusdem, salutem, gratiam et benediccionem. Cum nuper eleccionem vestram de fratre Hugone de Derli[n]gton’, vestro commonacho et confratre, nobis per fratres Ingramum de Chatton’ et Iohannem de Eluet, commonachos et procuratores vestros ad hoc specialiter constitutos, prouide presentatam,<sup>2</sup> rite factam et canonice pronunciauerimus, eamque auctoritate confirmauerimus pontificali, ac ipsum fratrem *Hugonem* vestre domus prefeceimus in priorem, curam et administracionem plenam in spiritualibus et temporalibus committentes eidem, vobis mandamus, in uirtute obediencie firmiter iniungentes, quatinus dicto fratri *Hugoni* ut priori vestro in hiis, que ad discipline regularis obseruanciam et alia canonica spectant mandata, intendentes sitis per omnia, sicut decet. Valete. Dat’ apud Bagwrth’, xj. Kall’ Februarii, anno domini M<sup>o</sup>CC<sup>o</sup> octogesimo quinto, et consecracionis nostre anno tercio.’

22 Jan.  
1285/6.

7 Feb.  
1285/6.

fo. 118v.

Reuersus est igitur confirmatus cum suis, apud Beurepayr expectans diem installacionis sue, videlicet diem Iouis proximam post festum purificationis Beate Virginis. Quo die / Dunelmum venit in magno comitatu, vbi occurrit ei quidam clericus ex parte archidiaconi *Dunelmensis*, in negotio installacionis gerens vices dicti archidiaconi. Factaque oracione coram Sancto Cuthberto, processit in chorum, sedem suam intraturus, et postmodum in capitulo, commitante eum conuentu; et in utramque sedem a dicto clerico introductus est.<sup>3</sup>

<sup>1</sup> episcopus, *MS*.

<sup>2</sup> presentatam, *MS*.

<sup>3</sup> Rest of page blank.

# ILLUSTRATIVE DOCUMENTS.

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## I. INTERNAL AFFAIRS.

### i. THE PRIOR'S INSTALLATION.

[? 1290.]

1. Salutem in scinceris amplexibus saluatoris. Eminentis status vestri cara promocio et votiua necnon fedus sanguinis, cui ipsius nature gratitudo super omnia nititur complacere, visceraliter nos impellunt vt ad vos die installacionis vestre accedamus personaliter, vt rogastis. Statum vestrum cum incremento prospero et felici per tempora diuturna conseruet et dirigat ipse deus. Valete.

*L, mem  
1 dorse (7).*  
Promise to attend an installation.

[9 April 1290.]

2. Salutem. Quoniam nuper nobis scripsistis quod fauente diuina virtute hac instanti die Dominica, qua cantatur *quasi modo geniti*,<sup>a</sup> in ecclesia *Dunelmensi* proponitis installari, ac nos vestri gracia requirere voluistis, vt dicte installacioni vestre presenciam nostram exhibere curaremus, reuerencie vestre significamus, quod nisi arduis negociis fuerimus pre-pediti, presenciam nostram ad honorem vestrum, vita et sanitate comitibus, dicte installacioni vestre personaliter exhibebimus. Valete.

*L, mem.  
1 dorse (8).*  
Promise to attend Richard de Hoton's installation.

[? 1290.]

3. Vt quietius diuino officio et liberius intendimus, tumultu conuocatorum euitare cupientes, hac instanti solempnitate per vos, si placet, infra septa monasterii vestri recipi petimus de gracia speciali.

*L, mem.  
1 dorse (9).*  
Request for hospitalify.

### ii. THE PRIOR'S COUNCIL.

4. Carta collacionis redditus de camera.

Omnibus presens scriptum &c., prior et conuentus talis ecclesie, salutem in domino. Noueritis nos concessisse et presenti carta nostra confirmasse dilecto et fideli clerico nostro, domino N.<sup>1</sup> de tali loco, caritatis intuitu tot marcas vel tot

*M, mem.  
3 recto (8).*  
Engagement of a counsellor.

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<sup>1</sup> vel magistro tali, *interlined*.

solidos de camera nostra ad duos terminos annuatim percipiendos, scilicet medium tum et medium tunc, donec placuerit nobis vberius ei prouidere. Iurauit autem dictus N., tactis sacrosanctis, se nobis in omnibus fidelitatem obseruaturum, et quod negociis nostris expediendis, tam [in] partibus cismarinis quam transmarinis, fideliter intendet, et quod consilium nostrum non reuelabit in lesionem nostram, et quod non queret artem vel ingenium, vnde simus in aliquo peridentes. In cuius rei &c.

### 5. Littera pensionis.

*S, fo. 19v. (4).*

A similar form

Omnibus &c., talis prior et conuentus &c. Noueritis nos concessisse et presenti carta confirmasse dilecto et fideli clerico nostro N. caritatis intuitu redditum x. marcarum de camera nostra annuatim percipiendarum ad tales terminos, donec nobis placuerit in ecclesiastico beneficio uberius eidem prouidere. Iurauit autem dictus N., tactis sacrosanctis, se fidelitatem nobis in omnibus obseruaturum, et quod negociis nostris expediendis, tam in partibus transmarinis quam cismarinis, fideliter intendet, et quod in lesionem nostram consilium nostrum non reuelabit, nec queret artem uel ingenium, vnde in aliquo simus peridentes. In cuius &c.

[1244-58.]

### 6. Carta recipientis et obligacio.<sup>1</sup>

*M, mem.*

*3 recto (9);*

*S, fo. 19v. (5)*

Oath of the counsellor.

Omnibus presens scriptum visuris vel auditoris, talis magister vel clericus, salutem in domino.<sup>2</sup> Noueritis me fideliter promississe et tactis sacrosanctis iurasse, quod negociis dominorum meorum, [Bertrami] prioris et conuentus talis, tam [in] partibus cismarinis quam transmarinis<sup>3</sup> sumptibus eorum diligenter et<sup>4</sup> fideliter intendam, et quod absque eorum speciali licencia ab eis et<sup>5</sup> eorum seruicio non recedam, et quod eorum secreta in eorum lesionem<sup>6</sup> non reuelabo, et quod non<sup>7</sup> queram artem uel ingenium &c., ut supra.<sup>8</sup> Cum autem dicti domini mei, prior et conuentus [N.], alico<sup>9</sup> tempore sine dampno eorum meo seruicio poterunt carere, meis

<sup>1</sup> Littera clerici obligatoria, S.

<sup>2</sup> Omnibus &c., magister N., salutem, S.

<sup>3</sup> trans. quam cis., S.

<sup>4</sup> eorumdem fideliter, S.

<sup>5</sup> Om. eis et, S.

<sup>6</sup> Om. in eorum les., S.

<sup>7</sup> reuelabo, nec queram, S.

<sup>8</sup> ingenium, unde sint in aliquo peridentes, S.

<sup>9</sup> aliquo, S.



negociis, petita prius ab ipsis licencia et optenta, propriis sumptibus licebit michi intendere,<sup>1</sup> dummodo ad eorum redeam mandatum.<sup>2</sup> In cuius rei testimonium has litteras meas patentes eis feci, et sigilli mei appositione roboravi. Vel facta mencione de equis et garcionibus et 'fideliter intendam,' et similiter de vno seruiente vel pluribus, et similiter posicio, si neccesse fuerit, salua fidelitate prioris domini, si fecerit, alieni talis uel talis.

[1265-72.]

7. Bogoni de Clare,<sup>b</sup> c. marce.  
 Magistro *Willemo* de la Cornere,<sup>c</sup> c. solidi.  
 Roberto Burnel,<sup>d</sup> x. marce.  
 Heruico de Borham,<sup>e</sup> c. solidi.  
 Laurentio de Broc,<sup>f</sup> xl. solidi.  
 Iohanni de Pakeham, xx. solidi.  
 Ricardo de Swinton,<sup>g</sup> c. solidi.  
 L., xl. marce.  
 Galfrido de Eggescliu,<sup>h</sup> xl. solidi.  
 H. Cor', x. libre.  
 Magistro Alano de Esingwald,<sup>i</sup> c. solidi.  
 Magistro Thome de Byrland,<sup>j</sup> v. marce.  
 Archidiacono *Dunelmensi*, ij. marce.  
 Archidiacono Estriding, iiij. marce.  
 Thome de Windesou',<sup>k</sup> v. marce.  
 Capellano de Sancta Margareta,<sup>m</sup> iiij. marce.  
 Capellano de Muchingwyc, vj. marce.  
 Capellanis de Derlington' et de Ditineshale,<sup>n</sup> viij. marce.  
 Duobus capellanis ad Ianuam,<sup>o</sup> iiij. marce.  
 Elemosinario per xij. festa principalia et anniuersarium  
 Thome prioris,<sup>p</sup> xiiij. libre.  
 Petro Apezun, v. marce.  
 Alberico de Fescamp',<sup>q</sup> c. solidi.  
 Alano Paruo, xvij. solidi iiij. denarii.  
 Willelmo de Maltebi, j. marca.  
 Iohanni de Horneby,<sup>r</sup> xl. solidi.  
 Agneti, sorori prioris, vj. marce.  
 Summa (....)

S, fo. 72.

List of  
pensions.(a)

<sup>1</sup> carere potuerunt, licebit michi, petita prius ab ipsis licencia et optenta, propriis meis negociis propriis sumptibus intendere, S.

<sup>2</sup> S continues, uel fiat mencio ibi

'fideliter intendam' hoc modo, 'cum duobus equis et vno seruiente et tribus garcionibus'; vel sic, 'salua fidelitate talis domini mei' &c. In cuius &c.

[ante 1279.]

*L., mem.  
i recto (10).*

Reginald de  
Brandon  
requests  
payment of  
the arrears  
of two pen-  
sions due to  
him from the  
convent.

8. Reuerendis viris et discretis . . priori Dunelmensi et capitulo eiusdem, *Reginaldus* de Brandon,<sup>a</sup> clericus, vtriusque incrementum salutis cum reuerencia et honore et promtitudine complacendi. Dudum annuas pensiones duas michi vestro vestri gracia concessistis per litteras vestras patentes, sigillo vestro communitas; et, quamquam huiusmodi pensiones aliquamdiu agnosceretis, ipsas curialiter exsoluendo, subsequenter tamen vnam pensionem quinque librarum per quinquennium, vt creditur, aliam vero x. librarum per triennium subtraxistis, siue per obliuionem non soluistis. Quocirca vobis supplico precibus affectuosis, quatinus, de neccesitate virtutem facientes, de dictis pensionibus michi satisfacere velitis, moram preteritam per gratuitam subsequentem solucionem purgantes seu eciam expiantes; quantum vero temporis in huiusmodi pensionum solucione est cessatum, per litteras meas, quas super solucione pensionum habetis, consideratis datis in litteris pensionariis comprehensis, potestis plenius intueri. Insuper N. et N. procuratores et attornatos meos coniunctim et diuisim ad pensiones meas, a vobis sic michi debitas, exigendas et recipiendas, et litteras aquietancie in euentu solucionis, eisdem uel eorum alteri nomine meo facte, vobis concedendas<sup>1</sup> et faciendas<sup>2</sup> iuxta ipsius solucionis quantitatem ordinaui et constitui. Transcripta vero litterarum vestrarum, de quibus supra fit mencio, vobis transmittito presentibus interclusa. Valete.

*M., mem. 6  
recto (5).*

A king's  
clerk nego-  
tiates with  
the convent  
about a  
pension.

9. Venerabilibus &c. et sincere dileccionis semper augmentum. Venientes nuper ad me ex parte vestra discretus vir, N., et N., qui in presencia domini regis et quorundam magnatum negocia curialiter exposuerunt, or[acio]nibus expositis super quadam summa pecunie, michi a uobis uestri gracia de camera vestra annuatim conferenda, pluribus de causis dominus rex et maiores de consilio ipsius oblata sub forma, qua[m] michi obtulerunt, non acceptauerunt. Ego uero, cum sepius animo reuoluam quod gracia gratis data in arbitrio susipientis esse non debeat, gratiam, quam michi vestri gracia conferre proposuistis, mee voluntati taxandam nequaquam admitto, set ad gratiam vestram plenius implorandam super collacione pecunie predicte michi facienda, et voluntatem super eodem explorandam, dilectum clericum meum,

<sup>1</sup> concedendi, *MS.*

<sup>2</sup> faciendi, *MS.*

R. de N., ad vos transmittit, humiliter ac deuote supplicans, ut circa negocium predictum vestra disponat discreccio, ut apud dominum meum, dominum regem, mereamini, et me penitus ad vestra obsequia arcius habeatis obligatum. Ad memoriam reducentes, quod melius et honorabilius uobis et michi sine strepitu iudiciali expedit procedere, quam post altercaciones et controuersias multas sentencias, in circuitum ruentes, diucius expectare, voluntatem vestram, si placet, super premissis, omni condicione reiecta, per memoratum clericum meum, deliberato consilio vestro, finaliter, assertiue et precise significetis; scientes pro certo quod per eundem, cui fidem adhibeatis indubitata, uelle meum super eisdem uobis plene duxi significandum. Valete.

10. Omnibus &c. Noueritis quod W., procurator T. de N.,<sup>a</sup> *M. mem. 4 recto (16).*  
 in nostra presencia constitutus, promisit et pactum fecit procuratorio nomine pro se et domino suo magistro R. de N., procuratori ad componendum constituto a priore et conuentu *Dunelmensi*, quod amodo nec ipse nec dominus suus nec alius pro eo petent aut exigent aliquid a priore et conuentu *Dunelmensibus* ratione arreragiorum temporis preteriti pensionis cuiusdam *v<sup>que</sup>* marcarum argenti, debite domino T. a dictis priore et conuentu, ut dicebat, saluis sibi in posterum omni iure et omni accione pro dicta pensione contra dictos [prior-em et conuentum] *Dunelmenses*. Et hanc promissionem et hoc pactum fecit dictus W., [...] ac procurator, pro xvii. marcis argenti, quas ipse nomine domini sui recepit a dicto magistro R., soluenti pro dictis priore et conuentu *Dunelmensibus*. Et hec omnia promisit pro se et pro domino suo<sup>1</sup> procuratorio nomine sub pena xx. marcarum, pro qua obligauit nomine domini sui omnia bona, que idem dominus suus habet in Anglia queque habiturus est, seu sint temporalia seu ecclesiastica, ita quod pena, commissa et soluta, necnon<sup>2</sup> dictum pactum [et] dicta promissio permaneant<sup>3</sup> in sua firmitate; et ad maiorem securitatem dictorum [prioris et conuentus] *Dunelmensium* dictus W., procurator, deposuit penes nos cartam, signatam singno conuentus *Dunelmensis*, in qua continetur obligacio dicte pensionis, quousque idem T. litteras alicuius cardinalis dederit dictis [priori et conuentui] *Dunelmensibus*, quod amodo de dictis arreragiis eos non inquietabit

Agreement between W., proctor of T. de N., and Mr. R. de N., proctor of the convent, by which T. de N. accepts 17 marks in settlement of the arrears of a pension owed to him by the convent.

<sup>1</sup> suo, *MS.*

<sup>3</sup> vel remaneant, *interlined, MS.*

<sup>2</sup> nichilominus, *MS.*

nec per se nec per alium. In cuius &c. sigillum nostrum ad instanciam dictorum procuratorum duximus apponendum. Dat' [&c.].

### iii. DISCIPLINE.

[1244-58.]

S, fo. 52 (r)  
& fo. 23 (4).

11. Littere ad dispensandum<sup>1</sup> cum illegittimo.

Prior  
Bertram by  
papal privi-  
lege grants a  
monk dis-  
pensation  
for illegiti-  
macy.

*Bertramus*, prior *Dunelmensis*, dilecto sibi in Christo, A. de tali loco, monacho Dunel', salutem in domino.<sup>2</sup> Mandatum domini pape recepimus<sup>3</sup> in hec uerba,<sup>4</sup> 'Innocentius, episcopus' &c. Te igitur dignum reputantes huiusmodi gracia,<sup>5</sup> speciali auctoritate nobis concessa tecum misericorditer dispensamus, ut non obstante defectu natalium, quem pateris<sup>6</sup> genitus de soluto ex soluta, vel sic, genitus de subdiacono uel diacono<sup>7</sup> ex soluta, libere possis ad administrationes et prelaturas tui ordinis promoueri, ita tamen quod, si ad episcopalem dignitatem contigerit te euocari, illam nequaquam recipias absque licencia sedis apostolice speciali. Act' apud Dunelmum, tali die, tali anno.<sup>8</sup>

[1258-72.]

S, fo. 25v (r).  
M, mem. 2  
dorse (3).

12. *Hugo*, prior *Dunelmensis*, dilecto filio, domino N., supriori &c. Cum nobis incumbat qualiter filiorum sanentur<sup>9</sup> anime summo opere<sup>10</sup> prouidere, nos fratrem N. de N. de statu miserie, in quem peccando deuenit, per penitencie fructum extrahere cupientes, et ad gracie statum reducere, vobis mandamus iniungentes, quatinus dicto N. talem vice nostra penitenciam iniungatis, vt videlicet locum sibi preparatum cum omni humilitate suscipiens, et matutinis,<sup>11</sup> vigiliis, ieiuniis et oracionibus deuotis necnon et cordis singultibus districti iudicis iram, quam super<sup>12</sup> se dampnabiliter prouocauit, satagat mitigare, et preter horas canonicas quinginta cotidie psalmos complere non omittat, et insuper, quia non celebrat, pro animabus fratrum nostrorum v. psalmos, scilicet *Verba mea* cum ceteris et oracione *Deus venie* diebus singulis quin-

<sup>1</sup> Littera dispensandi, SS.

<sup>2</sup> B., prior D., dilecto tali monacho, salutem, SS.

<sup>3</sup> *Om.*, SS.

<sup>4</sup> *Add* suscepimus, SS.

<sup>5</sup> *Om.*, SS.

<sup>6</sup> *Sic*, S, SS.

<sup>7</sup> genitus de sacerdote, SS.

<sup>8</sup> speciali. In cuius rei testimonium has litteras patentes &c. Dat' &c., SS.

<sup>9</sup> saluentur, MS.

<sup>10</sup> summo opere, M.

<sup>11</sup> inter alios, MS.; inter alios, M.

<sup>12</sup> super, MS.; super, M.



quies exsoluat. Volumus autem et precipimus quod ab elemosinario de N. vnum panem sufficientem et vnum ferculum de piscibus cotidie recipiat, et de refectorio vnam iusticiam ceruisie, singulis eciam feriis sextis in pane et ceruisia tantum ieiunet, si corporis ualitudo hoc permittit. Igitur predicto fratri premissa vice nostra in uirtute obediencie iniungentes, ipsum monere curetis, vt indictam sibi penitenciam non murmurando uel inuite set deuote ac voluntarie suscipiat et compleat, vt sic per temporalem corporis castigacionem penam, quam meruit, euadere possit eternam.

13. Salutem, et sub aumento religionis de bono in melius proficere.<sup>a</sup> Hely sacerdotis incorrecta peruersitas sub patris excidio<sup>1</sup> nostram diligenciam, ne quid sub dissimulacione pretermissum in partem vergat deteriorem, expostulat et excitat, eo quod nos respiciat in capite quicquid impunitum in filiis nostris edificat ad Gehennam. Audimus nuper, et ex secularium fida relacione indubitanter accepimus, quod non sine angustia propallamus, filios Heli, immo Belial, quosdam inter vos heredes patribus suis multo deteriores reliquisse, qui, nichil curantes de conscientia, magis seculo quam domui et fratribus suis fidem obseruant, qui arcam domini non tantum capi ab alienis permittunt, set subuersionem ecclesie sue, destruccionem religionis et scandalum fratrum innocentium machina[n]tur et innituntur,<sup>2</sup> ut locum dei, qui in pace factus est, omnino subuertant. Prouerbium est illud, et, si tacere vellemus, seculares, qui nouerunt, in seculo clamabunt, ' Vbi est religio, ubi ? ' Quibus ut gladium superuenientem denunciaremus, fratrum nostrorum, deum timencium, instantia sumus prouocati, ut nuper in capitulo *Dunelmensi*, accensis candelis et aliis debitis adhibitis, omnes quorum consilio, auxilio, dicto vel facto prouisio illa episcopi *Dunelmensis* de bosco et pastura, que nobis promiserat, impedita uel in aliquo minus expleta est, et omnes per quos indignacio ipsius episcopi in scandalum quorundam fratrum nostrorum innocentium excitata est, et alios<sup>3</sup> scandalizant, malingne imponentes eis quod minus poterunt amari vel appreciari, vna cum conspiratoribus fratribus suis maliciose machinantibus, perpetuo anathemate cum diabolo patre ipsorum innodaremus, et innodatos denunciaremus, nisi infra mensem post publicacio-

*M, mem.  
3 dorse (1).*

The prior announces the excommunication of those who have hindered the grant of wood and pasture promised to the convent by the bishop

i Reg. II.  
12-14.

<sup>1</sup> exciduo, *MS.*

<sup>2</sup> ? For immitunt.

<sup>3</sup> et alios *repeated, MS.*

nem istam coram nobis satisfaciant de commissis. Quam sententiam volumus et mandamus apud nos modis supradictis renouari, ne quis se de non auditis excuset.

*L. mem.  
i recto (17).*

The prior orders a monk to return to his duties, and to cease acting as executor of the will of Mr. A. de Golyn, late archideacon of Lothian.

14. Cum tibi bene constat seu constare debeat quod circa negocia nostra et ecclesie *Dunelmensis* neccesse habes ita frequenter occupari, quod absque domus dispendio te non possis alienis negociis implicare, non immerito mouemur et plurimum admiramur quod te cum quibusdam aliis, ut audiui-  
mus, de execucione testamenti magistri A. de Golyn, quondam archidiaconi *Loudonensis*,<sup>a</sup> nobis irrequisitis et insciis, presumpsisti inconsulte onerare, per quod mandatum nostrum, nuper tibi directum, minus efficaciter exequi valuisti, presertim cum nec regula, cui astrictus es, nec ordinis statuta te huiusmodi attemptare absque nostro assensu aliquatenus volunt aut permittunt. Quapropter tibi mandamus, et in uirtute obediencie ac sub pena excommunicationis firmiter inhibemus, ne ulterius de dicto testamento uel alico alio te intromittere seu quicquam exequi audeas absque nostra licencia et mandato speciali. Si uero te contigerit contra presens mandatum nostrum post eius receptionem quicquam agere uel attemptare, inobedienciam tuam taliter punire curabimus, quod vnus correpcio pluribus sit in exemplum pariter et terrorem. Dat'.

#### iv. THE LIBRARY.<sup>a</sup>

29 September 1259.

*M. mem. i  
recto (17).*

Acknowledgement of the loan of a book.

15. Littere obligatorie pro libro acomodato.

Omnibus &c. Noueritis me anno gracie M<sup>o</sup>CC<sup>o</sup>LIX ad festum Sancti Michaelis mutuo accepisse a priore et conventu *Dunelmensis* ecclesie per manum domini I. de N., tunc librarii, que[m]dam librum legis, scilicet digestum nouum, sub caucione c. solidorum eisdem ad mandatum suum restituendum. Ad quod sine malo ingenio et fraude faciendum omnia bona mea mobilia et immobilia per presentem cartam vbicunque inuenta protestor obligata. Et si contigerit deinde librum viciose in aliqua parte esse deterioratum, vnde merito querimonia locum debet habere, promitto me eisdem competenter recompensaturum. In cuius rei &c.

[c. 1259.]

## 16. Restitutio acomodati.

Omnibus &c. Noueritis nos recepisse a domino N. de N. digestum nouum, quem quidem librum dictus N. habuit de comodato nostro. Vnde volumus et concedimus quod si aliqua obligacio dicti N. de supradicto libro sibi acomodato penes nos vel nostros inuenta fuerit, vacua penitus remaneat et inefficax. In cuius rei &c. Dat' &c.

*M, mem. 1  
recto (18).*

The convent  
acknowledges the  
return of  
the book.

[1262.]

## 17. Vacuacio obligacionis.

Omnibus &c., Hugo, prior &c. Noueritis nos recepisse a domino *Willelmo* de Hemmingburg', canonico *Lincolniensi*,<sup>a</sup> executore bone memorie magistri Roberti de Marisco, quondam decani *Lincolniensis*,<sup>b</sup> tria uolumina theologie, scilicet quatuor ewangelia glosata in vno uolumine,<sup>c</sup> xij. prophetas, Iob, libros Salomonis et epistolas canonicas in alio, actus Apostolorum et Apocalipsim in tercio; que quidem volumina dictus magister habuit de commodato nostro. Vnde uolumus et concedimus, quod si aliqua obligacio dicti magistri de supradictis libris, sibi commodatis, penes nos uel nostros inuenta fuerit, vacua penitus remaneat et inefficax. In cuius &c. Dat' &c.

*S, fo. 25v (3).*

The convent  
acknowledges the  
return of  
three  
volumes of  
theology  
from Wm.  
de Hemming-  
brough,  
canon of  
Lincoln,  
executor of  
the late Mr.  
Robert  
Marsh, dean  
of Lincoln.

v. THE FABRIC.<sup>a</sup>

[1258-73.]

## 18. Incipiunt littere dimissorie.

Venerabilibus dominis et amicis in Christo, karissimis abbatibus, prioribus et vniuersis viris religiosis, omnibusque sanctimonialibus per episcopatum *Dunelmensem* constitutis, Hugo, prior *Dunelmensis*, et conuentus, salutem et sincere caritatis plenitudinem. Inter preclara ac salutifera pietatis opera quasi quandam specialem laudis prerogationem optinere videtur ecclesiarum renouacio seu reparacio, maxime in quibus [? colitur] religionis flos et honestas, et ad gloriam diuini nominis iugiter auditur graciary accio et vox laudis, vbi largitatis beneficium exhibentis manifeste clarescit in operatione, largitoris anima precibus assiduis domino commendatur in oracione, et memoria posteris temporibus habetur in veneracione. Quoniam igitur *Dunelmensis* ecclesia, ex orientali sui parte riuus vndique crebrescentibus ac frixuris

*M, mem. 5  
recto (3).*

Prior Hugh  
and the con-  
uent ask the  
faithful to  
subscribe to  
the cost of  
rebuilding  
the east end  
of the  
cathedral.

[sic], [corpus] patroni, Sancti Cuthberti, quod in ipsa parte ecclesie seruatur incor[r]uptum, ab imminente ruina protegere uolens<sup>1</sup> illesum, lapsum presipitem miraculose suspenderet, tota moles illa, rimosa atque ruinosam, dudum dedisset terribile precipitium, [nos] metu ruine tam terribiliter iminentis ac reuerencia predicti confessoris incitati, totam prefatam ipsius partem una cum choro eiusdem ecclesie, similem lapsum minante, ad solum diruere ac penitus a fundamentis innouare curantes, opere iam inchoato ac prospere, fauente domino, proficienti incessabiliter insistentes, cum ad tam su[m]ptuosi operis fabricam possibilitas non sufficiat, necesse habemus ad opus dicte fabrice fidelium implorare subsidium. Set licet ignem caritatis venerit saluator mittere in terram, ut ad opera misericordie gratanter exhibenda carnalium animos incenderet, quia tamen, antiqui hostis suggestione inualescente quasi frigido flatu aquilonis vniuersam terram perflante, adeo diebus istis habundauit iniquitas, ut pene animorum refrigescat caritas, nisi a viris spiritualibus, in quibus diuini amoris feruor vberius incalescat, tanquam ignis in Syon et caminus in Ierusalem, ipsorum accendatur deuocio, sanctitatem vestram quanta possumus deuocione humiliter exoramus, quatinus, cum venerabilis pater &c. has litteras suas deprecatorias transmiserit pro missarum, psalmodiarum ac orationum suffragiis liberaliter ac benigne populis fidelibus concedendis, qui de bonis sibi a deo collatis fabricam dicte ecclesie nostre promouere curauerit, petitionem nostram, quam pro eodem negotio in conspectu sinceritatis vestre porrigimus, grato fauoris assensu taliter exaudire velitis, vt gloriosus presul, beatissimus Cuthbertus, pro templo materiali ad honorem ipsius, mediante vestre deuotionis affectu, celerius consummando, ad impetrandam vobis mansionem templi glorie celestis ante tronum gracie pro vobis assiduus intercessor existat. Valete.

Luc. XII, 49

Is. XXXI.  
9.

[1250-I; 1262.]

S, fo. 19v (1).

19. Littera indulgentie.<sup>a</sup>

Omnibus sancte matris ecclesie filiis ad quos presens scriptum peruenerit, Rogerus, dei gracia Couentrensis episcopus, salutem in domino sempiternam. Quoniam,<sup>2</sup> ut ait

<sup>1</sup> uolentis, MS.

<sup>2</sup> Quoniam . . . uitam sempiternam is an extract from the Forma

litterarum praedicatorum prescribed by the Lateran Council of 1215, can. 62. It has been collated as A.



apostolus, *omnes stabimus ante tribunal domini nostri Ihesu<sup>1</sup> Christi*, recepturi *prout* in corpore gessimus, *siue bonum fuerit* seu *malum*,<sup>2</sup> oportet nos diem messisionis extreme misericordie operibus prevenire, ac eternorum intuitu seminare in terris, quod, reddente domino, cum multiplicato fructu recolligere<sup>3</sup> debeamus in celis, firmam spem fiduciamque tenentes, quoniam *qui parce seminat, parce et metet, et qui seminat in benedictionibus, de benedictionibus et metet* uitam sempiternam.<sup>4</sup> Nos igitur de dei omnipotentis misericordia, de Beate Marie, semper uirginis, genitricis eius, omniumque sanctorum meritis et auctoritate confisi, omnibus de peccatis suis uere contritis et confessis, quorum diocesani hanc nostram indulgentiam acceptauerint, qui ad feretrum gloriosissimi confessoris atque pontificis Cuthberti oracionis causa uel deuocionis accesserint, uel aliquid de bonis, sibi a deo collatis, ibidem pie contulerint uel transmiserint, xx. dies de iniuncta sibi penitencia misericorditer relaxamus. In cuius rei testimonium &c. Dat' &c.

Rom. XIV.  
10.  
2 Cor. V, 10.

2 Cor. IX, 6.

The bishop of Coventry grants a twenty days indulgence to those who make an offering at the shrine of St. Cuthbert.

[c. 1265.]

20. Littera indulgentie.<sup>a</sup>

Uniuersis Christi fidelibus ad quos presens scriptum peruenerit, Hugo, miseracione diuina Eliensis episcopus, eternam in domino salutem. Preclara Beati Cuthberti, confessoris atque pontificis, meritorum insignia, quorum radii sanctam dei ecclesiam glorianter illustrant, et laudis debito et honoris efferri cumulo cupientes in terris, quem ipse rex glorie coronauit in celis, letanter id agimus, id appetimus, quo et uestra deuocio ad ipsius preconia inuitetur [et] in eius meritis salus proueniat animarum. Vt igitur feruor fidei uestre ad sancti eiusdem gloriam et honorem eo intencius accendatur, quo amplius apud deum ipsius uobis sperare presidia profutura potestis, nos, de dei omnipotentis misericordia et Beate Marie, semper uirginis, genitricis eius, omniumque sanctorum meritis et auctoritate confisi, omnibus de peccatis uere contritis et confessis, quorum / diocesani hanc nostram indulgentiam acceptauerint, qui ad feretrum prefati confessoris uel ad fabricam eiusdem ecclesie uel luminarium sustentacionem aliquid de bonis, sibi a deo collatis, pie contulerint uel transmiserint, xl. dies de iniuncta sibi penitencia misericorditer relaxamus. In cuius rei testimonium &c. Dat' &c.

S, fo. 19 (4).

Hugh of Balsham, bishop of Ely, grants a similar indulgence.

fo. 19v.

<sup>1</sup> Om. dom. nostri Ihesu, A.

<sup>2</sup> bonum siue malum fuerit, A.

<sup>3</sup> colligere, A.

<sup>4</sup> aeternam A.

vi. GRANTS OF CONFRATERNITY.<sup>a</sup>

[Nov. 1261.]

S, fo. 16 (4). 21. De concessione suffragiorum.

Prior Hugh  
and the  
convent  
inform  
Eleanor of  
Provence,  
fo 16v.  
queen of  
England,  
that they  
have made a  
grant of con-  
fraternity to  
Sancia of  
Provence,  
her sister,  
the deceased  
empress

Excellentissime domine *Alienore*, dei gracia regine Anglie, domine Ybernie, ducisse Normannie, comitisse Andegauię et Aquitannie, deuotissimi filii, *Hugo*, prior, et conuentus *Dunelmensis* ecclesie, salutem, et promptissimum cum debita deuocione et reuerencia ad beneplacita famulatum. / Audita morte domine *Sancie*, imperatricis quondam Alemannie, sororis uestre,<sup>a</sup> cuius anima pro sua sancta misericordia propicietur altissimus, eidem domino animam eiusdem in campan[ar]um pulsacionibus et missarum celebracionibus et ceteris debitis oracionum suffragiis solle[m]pniter commendauimus; recipientes eam specialiter in omnibus beneficiis domus nostre animabus fidelium valituris, que fient in ecclesia *Dunelmensi* imperpetuum. Concedimus etiam anime eiusdem ob diuine caritatis intuitum et vestre celsitudinis reuerenciam maiorum suffragiorum specialitatem, videlicet quod eius nomen in libro martirologii capituli nostri, inter fratres nostros annuatim die aniuersarii sui recitandum, fecimus anotari, in memoria sempiterna habendum. Quo die singulis annis habebit corredium suum in refectorio et singulas missas a singulis sacerdotibus, et a ceteris inferioris ordinis psalteriorum suffragia. Insuper, exceptis communibus beneficiis et specialibus prescriptis, trecentas missas ad maius altare pro eiusdem anima de singulorum sacerdotum communitate, cum facultas se optulerit, in ecclesia nostra decreuimus fore celebrandas. Excellencia uestra in domino valeat, et anima ipsius in pace requiescat. Amen.

[? 1267.]

M, mem. 5  
recto (11).

The Lord  
Edward  
requests the  
convent to  
receive the  
body of Sir  
John de  
Vaux, killed  
in a tourna-  
ment.

22. Edwardus, illustris regis Anglie primogenitus, dilectis sibi in Christo domino priori et conuentui *Dunelmensibus*, salutem et amorem sincerum. Rogamus vos cum affectu, quatinus corpus domini *Iohannis* de Vallibus, ad torneamentum de Treck' pridie defuncti, honorifice recipere faciatis nostri reuerencia et amore, ita quod tam in vestrum quam parentum suorum cedat honorem, et nos vobis exinde teneri debeamus ad graciaram vbres acciones. Dat' &c<sup>a</sup>

[? 1267.]

23. Salutem. Audita morte domini *Iohannis*, cuius anima  
 . . . . (as in no. 21)<sup>1</sup> . . . . Amen.

*M, mem. 5  
 recto (12).*

The convent  
 informs the  
 Lord  
 Edward that  
 it has made  
 a grant of  
 confrater-  
 nity to  
 Sir John.

[1286.]

24. Audito nuper quod mordentis omnia mortis impietas  
 dominum *Hugonem* Burnel a presenti luce subtraxit, epis-  
 copus *Bathoniensis* nimirum ex humana fragilitate condol-  
 uit;<sup>a</sup> set dolorem ob nostrum ac aliorum amicorum suorum  
 solamen, quatenus potuit, delyniuit, attendens quod illum  
 tramitem est ingressus quem nullus mortalium poterit eui-  
 tare. Et quoniam resoluti beneficiis egent viuorum vt facilius  
 senciant releuamen, caritatem vestram rogamus et excitamus  
 in domino, quatinus in ecclesiis et aliis locis religiosis ac piis,  
 vestre dicioni subiectis, faciatis et pro viribus procuretis mis-  
 sarum solempnia pro anime sue salute, cum officio pro de-  
 functis et aliis oracionum et beneficiorum suffragiis cele-  
 brari ac fieri pro eodem. Vt vestri insuper familiares amici,  
 de quibus interiorem fiduciam optinetis, habeant sui memor-  
 iam vbi presertim patri filius immolatur, curam et operam  
 dei intuitu et nostrorum optentu rogaminum apponatis; in  
 intimis precordiis vestris aduertentes, quod pro aliis orat, pro  
 se ipso laborem impendit.

*L, mem. 1  
 dorse (12).*

Prayers  
 requested  
 for the soul  
 of Sir Hugh  
 Burnel.

25. Ex pie deuocionis affectu, quem ordinem nostrum et  
 precipue erga ecclesiam de Albe Land'<sup>a</sup> vos habere didicimus,  
 vicissitudinem quam possumus rependentes, plenam partici-  
 pacionem oracionum et omnium beneficiorum spiritualium,  
 què deinceps fient in vniuerso ordine nostro, benigna vobis  
 concedimus caritate; adicientes insuper de gracia speciali  
 quod cum dies obitus vestri nostro innotuerit capitulo gen-  
 erali, sub presencium litterarum testimonio, tantum fiet pro  
 vobis quantum pro vno ex nostris fieri consuevit cum  
 decedit. Dat' &c.

*L, mem. 2  
 dorse (4).*

The General  
 Chapter of  
 the Pre-  
 monstraten-  
 sian Order  
 makes a  
 grant of  
 confrater-  
 nity to  
 the prior of  
 Durham

26. Ciuitas ecclesie sacris ornata eloquiis ewangelicis in-  
 formata oraculis omni dubitatione postposita sancto inspira-  
 mine auctore docet, et absque vlla esitacione approbat ac  
 suadet, ut hii, qui in alios sacro pectore spiritum deuocionis

*L, mem. 2  
 dorse (5).*

The Provin-  
 cial Chapter  
 of a Mendi-  
 cant Order  
 makes a  
 grant of con-  
 fraternity to  
 the prior of  
 Durham.

<sup>1</sup> The following variations occur: logii; line 21, suum et refector',  
 line 10, campanum; line 18, marti- line 24, ccc<sup>a</sup>.

transfundunt, vestigium similis impressionis cum effectu sentiant ab eisdem. Cupiens igitur, amantissime, pio uestre deuocionis affectui, quem ab olim vos ad ordinem nostrum firma fide teneo simpliciter habuisse, vicem rependere gratiosam, vobis omnium missarum, oracionum, predicacionum, ieiuniorum, abstinenciarum, vigiliarum, laborum ceterorumque bonorum, que per fratres ordinis nostri dominus per prouinciam Anglie fieri dederit, vniuersam participacionem concedo tenore presencium specialem. Volo insuper ut post decessum vestrum anima vestra fratrum tocius prouincie oracionibus recommendetur in nostro capitulo prouinciali, si vester ibidem obitus fuerit nunciatus; et iniungantur pro ipsa misse et oraciones sicut pro fratribus nostris defunctis fieri consuevit. Dat' &c.

vii. THE BEARER OF THE BREVE ROLL.<sup>a</sup>

[1244-58.]

S, fo. 23 (5).

Commission  
of Prior  
Bertram and  
the convent  
for the  
bearer of the  
breve roll.

## 27. Littere breuiatoris.

Omnibus sancte matris ecclesie filiis ad quos presens scriptum peruenerit, *Bertramus*, prior *Dunelmensis* ecclesie, et eiusdem loci conuentus, eternam salutem in domino. Noueritis N., latorem presencium, breuiatorem nostrum esse, quem ad uniuersitatem uestram destinamus; humiliter exorantes, quatinus defunctis nostris pia oracionum suffragia misericorditer impendere et eundem latorem caritatiue exhibere uelitis. Valete in domino. Dat' apud N., tali die anno tali. Presentibus litteris ultra annum minime valituris.

[1258-73.]

M, mem. 5  
recto (8).

A similar  
commission  
of Prior  
Hugh and  
the convent.

## 28. Littere breuiatoris.

Omnibus sancte matris ecclesie filiis ad quos presens scriptum peruenerit, *Hugo*, prior, et conuentus ecclesie *Dunelmensis*, eternam in domino salutem. Noueritis . . . (*as in the previous commission*) . . . Valete in domino. Presentibus litteris vltra annum minime valituris. Dat' &c.

L, mem. 2  
recto (19).

A more  
elaborate  
commission  
of Prior  
Richard and  
the convent.

[1273-85; 1290-1300.]

29. Vniuersis sancte matris ecclesie filiis presentes litteras visuris, R., prior ecclesie *Dunelmensis*, salutem in domino prosperam et votiuam. Ad similitudinem dei conditus et



quasi quoddam diuine potencie signaculum homo factus, ac mentis ratione recepta tam excellentis ymaginis pulcritudine decoratus antequam plene sua incrementa videret, elacione cordis intumuit, et quod de infimis formatus fuerat est oblitus. Vnde mira conditoris est actum iusticia, ut qui per sensum, quem rationalem acceperat, superbiuit, rursus terra fieret per mortem, quam se esse humiliter non agnouit, et qui peccando dei similitudinem voluntarius perdidit, rediret ad limi sui materiam, uel inuitus iuxta uerbum apostoli *ante tribunal Christi* demum recepturus *prout* in corpore gessit, <sup>2</sup> *siue bonum fuerit siue malum.* Cum igitur tempus inter hominis mortem et ultimam resurreccionem interpositum animas abditis contineat receptaculis, sicut vnaqueque<sup>1</sup> digna est requie uel erumpna, ac perspicuum sit, nec a fidelibus negandum animas defunctorum pietate viuencium releuari, cum pro ipsis hostia salutaris offertur, largiciones elemosinarum fiunt, aut oraciones deuote funduntur, superhabundantem beniuolencie vestre caritatem optentu mutue vicissitudinis exoramus, quatinus, diligencius auertentes iustum fore et equum, vt viui mortuis studiose impendant quod et ipsi morientes a viuis mutua vice sibi captabunt impendi, ad consequendam celerius diuine propiciationis habundanciam pietatis operibus et oracionum suffragiis pro defunctis nostris intercedere velitis propiciabiliter apud deum, vt, deuocionum vestrarum multiplicatis patrociniis felici commercio pro terrenis celestia et pro perituris commutantes eterna, eterne beatitudinis premia, que fideles<sup>2</sup> sperabant ac desiderabant super omnia dum vixerunt, in domino morientes mereantur feliciter optinere<sup>3</sup>; si placet, presentium porrectori, quem pro defunctis nostris absoluendis breuium nostrorum constituimus portitorem, cum ad vos declinauerit, beniuole impendentes humane beneficia caritatis. In cuius rei testimonium [ &c. ].

## II. THE CELLS.

### i. GENERAL INJUNCTIONS.<sup>a</sup>

[? c. 1237.]

30. Salutem.<sup>a</sup> Sicut atestante scriptura sacra nouerca pacis et vnitatis fraterne est dissimilitudo; ita e contrario vnitatis et concordie nutrix et conseruatrix est vniiformitas ac

*M, mem. 7 dorso (3).*

The convent restricts the eating of meat by monks.

<sup>1</sup> vnaqueque, *MS.*

<sup>2</sup> fident', *MS.*

<sup>3</sup> *Add Paragraphus, MS.*

ydi[m]ptitatis similitudo; et propterea, quoniam decens est, ut, sicut filie matri vel membra capiti, ita et celle singule matri domui ac monasterio capitali pro viribus studeant in omnibus conuenire, in esu carniū, ad quem hactenus nimis latenter et improuide frena relaxauimus, necesse habentes inueteratam<sup>1</sup> et inclitam mutare consuetudinem, non solum quia ipsam inibent et condempnent domini legati sanctiones, apostolicis constitutionibus eandem abdicantibus et firmiter prohibentibus,<sup>2</sup> verum eciam pro religionis honestate, pro scandali vitacione et eciam pro securitate consciencie, que in ambiguis opinionibus et incertis semper est amplectenda, vobis mandamus, quatinus dispensacionem in cedula, quam vobis mittimus, consignatam cum communi fratrum nostrorum deliberacione, prouisam suscipiatis, et fratres nostros vobis moram facientes ipsam cum graciā accione libenter suscipere et obseruare faciatis; si quis autem, ab informitatis causa grāte dispensacionis tramite volens exorbitare, obloqui uel murmurare presumpserit, nobis celeriter significetis.

[1258-73.]

*M. mem. 3  
dorse (3).*

Prior Hugh and the convent lament the frequent occurrence among monks of the dreadful sin of possessing private property, acquired from offices they have held.

Josua VII.

31. Hugo, prior, et conuentus Dunelmensis ecclesie, omnibus cellarum suarum prioribus et procuratoribus ac monachis secum commorantibus, salutem in domino. Doloris immensitas concussit viscera nostra, quia, peruersitatis nostre meritis ut creditur exigentibus, gloriatur hiis diebus hostis antiquus de plerisque viris nostre professionis et ordinis triumphum optinuisse, nec aliunde fortitudinis eius audacia nisi a nostre prauitatis vicio sumpsit originem. Nisi enim Achor furti flagitium perpetrasset,<sup>a</sup> nequaquam, multis de filiis Isrealiticis hostili gladio corruentibus, plaga in populo fuisset. Solo quidem Achor peccatum committente, legimus totum populum Isrealiticum pollucionis reatum contraxisse; vtinam non essent plurimi inter nos, nostre religionis regulam profitentes, per detestandum proprietatis vicium Achor nequiciam in nephando furti, immo enormis sacrilegii, facinore excedentes! Nam Achor nullius voti aut facti transgressor extiterat; set sunt non nulli ordinis nostri professores, qui, post votum de mundi conte[m]ptu publice editum, non de anathemate Iericentino set de patrimonio crucifixi, quod ipse sa[n]guinis sui effusione comparauit in cruce, de rebus monas-

<sup>1</sup> inueneranam, *MS.*

<sup>2</sup> *Add* roborare, *MS.*

terii, fidelium in vsus pauperum Christi collatis, sub pretextu ministerii sibi commissi, bona pauperum auferendo pauperibus, et sic Christo, in suis membris prodicionis fraudem faciendo, pecunias sibi ac propinquis suis carnalibus coaceruant et congregant, cum sint rerum monasterii dispensatores, ac per hoc deberent esse imitatores Ioseph, cui cum dominus suus omnia que habuisset dispensando committeret, nichil inde *nisi panem quo vescebatur* acceperat. Set ipsi, proth<sup>Gen. XXXIX. 6.</sup> dolor, malunt esse imitatores Iude proditoris, de quo scriptum est quod *fur erat et loculos* habebat, et *ea, que mittebantur* in loculos ad vsus Christi et pauperum, vxori et liberis effundebat, et propter hoc ipse tanquam vas pertusum et diruptum crepuit medius et effusa sunt omnia viscera eius. Ipsi eciam, quod dolentes dicimus, tam prefato Achor quam eciam Iuda multo videntur esse deteriores et detestabiliores; nam Achor furti reatum confitendo legitur gloriam dedisse deo; Iudas eciam prodicionis pecuniam, antequam suspendio vitam finiret, legitur proiecisse. Set, miserabile dictu, multi rel[ig]iosi nostri temporis nomine tenus acerbiorum reputant mortis amaritudinem separacionem anime a pecunia quam a corpore; et propter hoc ipsos in proprietatis peccato,<sup>b</sup> quod nolunt deserere, et per consequens nec confiteri volunt nec penitenciam agere, pecunia sua comitatur<sup>1</sup> in baratrum da[m]pnacionis, vt pecunia sua secum sit in perdicione.

Licet autem tam veteris quam noui testamenti doctrina, innumeris auctoritatibus suffulta, quam eciam Beati patris Benedicti, quam professi sumus, regula ad detestacionem tam infausti facinoris debeat sufficere, cumque plerumque efficaciora sunt ad persuadendum exempla quam scripta, plurimum terret nos exemplum fratris nostri, nuper ex hac luce subtracti, cuius anime propicietur altissimus, qui, cum per aliquot dies morbi mortis<sup>2</sup> molestias presenciens contra morbum anime sibi prouidere potuisset, apud nos ea, que saluti corporis neccessaria putabat, perquirens, nullam de hiis, que salutem anime contingebant, faciebat mencionem, in extremo mortis confinio cuidam fratri Minori, qui casu illuc aduenerat, consciencie sue secreta in graue scandalum ordinis nostri, contempto proprio socio suo, communicans. Huius igitur discriminis causam fuisse non dubitamus, quod pecuniam, quam ab alio officio, sibi antea com[m]isso, sine superioris consciencia asportauerat, adhuc retinuerat, nec ali-

The terrible effect of the sin illustrated by the story of a Durham monk.

<sup>1</sup> comittitur, MS.

<sup>2</sup> mortis morbi, MS.



quem socium ipsius pecunie voluit habere conscium et testem, vtpote quam maluit inter carnales amicos esse distribuendam, sicut conuicitur ex uerbis eiusdem ultimis, que dicebatur, antequam spiritum exalaret, protulisse. 'Doleo,' inquit coram astantibus cognatis, 'quod multa michi debetur ab hiis, quibus ipsam credidi pecuniam; nec habeo ad presens unde valeam consanguineis meis subuenire.' Non modicam tamen pecunie partem, in extremitate vite positus,<sup>1</sup> cuidam presbitero pro salute anime sue in vsus pauperum conuertendam commiserat, tanquam posset inde testamentum delegare, cum secundum decreta sanctorum patrum de rebus furto adquisitis non liceat construere monasteria nec ipsas in alios quantumlibet pios vsus conuertere. In similem quidem erroris insaniam veraciter agnouimus quosdam nostre professionis et ordinis confratres in multo tempore transacto incidisse, dicentes alicui, cum se mortis periculum non posse euadere estimarent, sibi in extremis assidenti, 'Accipe hanc pecuniam; et, si dein in sanitate<sup>2</sup> conualuero, ipsam michi restitue; et, si in fata decessero, eam pro anima mea pauperibus distribue.'

Decretum,  
pars II,  
C. xiv,  
qu. 5.

A similar  
example.

To avoid  
such perils it  
has been enacted  
that those monks  
shall be excommunicated  
who, after knowledge  
of this mandate, retain  
their ill-gotten possessions  
or who newly acquire  
them. The order, however,  
has no retrospective force.

Plurimum siquidem dolentes casum tam miserabilem fratri nostro insuper et multis aliis antea accidissee, ac proinde precauere curantes pro viribus ne quid simile futuris temporibus alicui de fratribus nostris eueniat, prehabita competenti deliberacione de communi omnium consilio, omnes, qui in officio sibi commissio aliquando ministrantes, de hiis, que officium suum conti[n]gebant, sibi pecuniam approbriabant, et adhuc in da[m]pnacionem anime sue retinere non formidant, excommunicacionis sententia ligatos esse decreuimus, nisi infra xv. dies post suscepcionem uel inspeccionem vel certam audicionem huius mandati de pecunia male adquisita et retenta secundum superioris sui iustam et discretam ordinacionem penitere et satisfacere curaueri[n]t. Eos autem, qui pecuniam viciose adquisitam in officio sibi commissio, antequam de hoc mandato nostro aliquid audire[n]t, in quoslibet vsus conuerterunt, nichil apud se retinentes, ad hanc excommunicacionis sententiam nolumus artari. Set omnes illi, qui post huius mandati nostri noticiam aliquid futuris temporibus de officio sibi commissio vel committendo sine superioris sui consciencia asportare vel appropriare preumpserint, siant se proculdubio in hanc excommunicacionis

<sup>1</sup> ? ponitur, MS.

<sup>2</sup> in sanitate doubtful, MS. rubbed.



sententiam incidere. Omnes etiam, qui cum possint copiam habere sacerdotum et confessorum sui ordinis et monasterii, quibus tenentur secundum ordinis regulam sua peccata confiteri, siue fuerint incolumes aut infirmitate grauati, ipsis contemptis, personis secularibus vel religiosis alterius professionis et ordinis peccata sua detegere et confiteri presumunt, eadem sententia iudicamus esse astrictos. Priores etiam [et] procuratores cellarum, qui receptas et expensas ipsarum a fratribus suis occultant, nec volunt habere aliquem ipsarum conscium et testem, eidem sentencie uolumus subiacere.<sup>e</sup>

Also to be excommunicated are those who confess to seculars or religious of another order in contempt of their own confessors. Similarly to be punished are priors and proctors of cells who keep the accounts private.

Propter quod prouide statuimus, ut procuratores de Iarwe et Wermuthe, de Faryn et de Lythum,<sup>d</sup> singulos habentes socios, cum eisdem omnia bona cellarum suarum communificent; priores uero de Insula, de Finchal et Sancti Leonardi de Stanfordia, plures habentes socios, aliquem eligant quem velint habere conscium recepte pariter et expense. Quoniam autem certi simus, quod receptores priorum *Dunelmensium*, qui ante nos fuerunt, etsi nullam aliquando facerent, poterant tamen de substantia domus nostre fidei sue commissa enormem, si uoluissent, fraudem fecisse, volentes talem potenciam propter da[m]pna et pericula, que inde possent prouenire, iuste et prouide coartare, receptori nostro socium adhibuimus vnum de fratribus, qui conscius sit omnium que idem recep[er]it et expenderit, statuantes ut ita fiat posteris temporibus. Volumus igitur ut prior de *Coldingham* receptori suo propter similia pericula aliquem de fratribus / suis socium simili modo adiungat, qui omnium que idem receptor receperit et expenderit conscius sit ac testis.

Regulations for the auditing of accounts in the cells.

mem. 4.

Omnes autem, qui hiis constitutionibus nostris se duxerint opponendos, prefate sentencie vinculo decreuimus esse alligandos; quam quidem sententiam in crastino natiuitatis Beate Virginis in capitulo *Dunelmensi* publice pronunciare fecimus. Statuentes ut singulis annis infra octabas Beati Cuthberti eadem sententia in capitulo nostro preferatur in crastino diei, quo sententia excommunicacionis in ecclesia *Dunelmensi* super direptores et perturbatores possessionum et libertatum eiusdem ecclesie est pronuncianda.<sup>e</sup> Fecimus etiam presentem paginam in martilogio nostro anotari, demandantes ut penes uos tanquam perpetuum memoriale conscribatur.

Arrangements for the publication of the sentences and for the registration of the injunctions

## ii. PETITIONS OF MONKS IN THE CELLS.

*M, mem. 4*  
*dorse (2);*  
*L, mem. 2*  
*recto (8).*

Reply to  
the prior of  
a cell, who  
has asked to  
be recalled.

32. Salutem. Licet vniuersorum filiorum petitionibus, quorum curam deo autore in capite gerimus, prout animabus et corporibus viderimus expedire, teneamur astricti, illis tamen specialius fatemur nos esse obligatos, quorum mores experti sumus maturiores et religiosiores, quibus onera, que nobis incumbunt in spiritualibus et temporalibus, confidenter poterimus impertiri. Hinc est quod, licet presencia vestra nobis penes Dun' esset pernecessaria, verumtamen eo quod magnum locum tenetis in fratrurn regimine, quibus presidetis, super celeri vestra reuocacione, antequam de ydoneo uobis successuro disposuerimus, consilium nondum habemus. Vnde vobis mandamus, in virtute obediencie et peccatorum remissione firmiter iniungentes, quatinus, sicut bene et laudabiliter officium, cui estis<sup>1</sup> deputati, incepistis, ad incrementum religionis firmiter exequamini. Situri pro certo quod processu temporis, cum ad partes illas venerimus, de translacione vestra ita disponemus, prout viderimus vestro desiderio satisfacere,<sup>2</sup> quod bene tenebitis vos contentos quoad commodum et honorem et solaciorum recreacionem. Valete.

*M, mem. 4*  
*dorse (3).*

A monk  
wishes to  
return  
because he  
has been  
given a  
temporal  
office in the  
cell, which is  
harmful to  
his soul, and  
in order to  
extricate  
himself he  
might be led  
to desperate  
measures.

Luc. X. 42.

33. Salutem. A vestre discrecionis memoria non credo excidisse quam affectuose<sup>3</sup> et quam obnixè vobis supplicaui quando vltimo fuistis apud N., quatinus faceretis me domi venire. Vos autem vestri gracia respondistis quod hoc non remanet nisi in voluntate mea. Sciatis igitur quod nichil in mundo tenerius desidero, nec magis affecto, quam domi remeare, et precipue quoniam dominus prior de N., et forte pro bono, me induxit in quodam lab[er]into temporalis administracionis, in quo per varias anime mee angustias astrictus sum, et tam diuerse occupatus, cum a domino sit propositum *unum esse neccessarium* vigilantì. Igitur mentis intuitu prospiciens dominam ancillari et ancillam dominari, spiritum carni seruire, moleste nimis et impacienter ferens materie mee detrimentum animo tabescenti, et amare perniciosum perfero iugum. Iccirco suspendium magis elegeret anima mea quam tediose subesse accioni et tam moleste interesse seruituti. Hinc est quod paternitati vestre, de qua plenam reporto fiduciam, et quam michi sepius affuisse recongnosco, cum omni affectione supplico, quatinus pro<sup>4</sup>

<sup>1</sup> est, *L.*

<sup>2</sup> *L finishes*, iuxta vestrum commodum pariter et honorem.

<sup>3</sup> affectuoso, *MS.*

<sup>4</sup> per, *MS.*

diuino amore et pro salute anime vestre et mee faciatis, si placet, me domi venire, ne forte nimis lacesitus in inpiis, et nimis affectus tedio, a proposito meo et professione cogar resilire. Tantum, si placet, in hac parte facientes, vt pro appropriato animarum lucro illud recipiatis pro retributione quod sanctis promissum est in eterna beatitudine. Valete.

34. Salutem. Non credo vestram latere discrecionem quam M, mem. 4  
moleste fero diutinam moram meam extra claustrum Dun-  
elmense. Vnde, cum iam instet tempus, vt dicitur, muta-  
cionis, paternitatem vestram humilibus precibus cum pro-  
fusis lacrimis exoro, quatinus, sicut bene vestri gracia in-  
cepistis, vt domum vocari possim, elaborare velitis. A monk  
pleads that  
he should be  
brought  
home.

35. Salutem. Cum humane condicionis miseria motu multi-  
plici varietur, nec in eodem statu, secundum quod dicit Iob, M, mem. 4  
aliquatenus stare permittitur, statum meum ad presens vobis  
ad plenum significare non valeo. Postquam enim a claustro  
mee professionis, sicut nouit vestra paternitas, nequiter et  
iniuste acusatus, me inuito tam inopinate et irreuerenter, non  
quasi domesticus et familiaris, set quasi criminosus et  
alienus, maliuolis instigantibus expulsus sum, graues angus-  
tias, temptationes sustinui et dolores, gracias / tamen agens  
protectori meo, deo altissimo, qui in tot perturbationibus  
et persecutionibus patientiam michi contulit et sustinentiam,  
qui etiam quos recipit sua disponente gracia flagellat et  
castigat; vnum est tamen, vnde, vehementer conturbatus, et  
anxi[e]tate spiritus afflictus, a statu rectitudinis et quietis,  
fragilitate inpellente, aliquatenus cogor deuiare. Cum enim  
statum meum et deieccionem, meis meritis non exigentibus,  
teste deo et consciencia, intuendo conspicio, flere magis  
libet quam<sup>2</sup> aliquid dicere, cogitans et admirans qua  
consciencia, qua uoluntate tam subito tam precipitanter  
dominus prior noster a consortio vestro et fratrum vobiscum  
commorancium, quod michi est amara et lugubris et fere  
inconsolabilis diuorcio, deiciendo conatus est ratione vacil-  
lante separare, et sic pauperem me<sup>3</sup> absque pannis et aliis  
rebus, michi regulariter concessis, sine quarum aminiculo  
sustentari non valebam, in alia regione frigidissima, non  
considerata humana fragilitate, uoluit transmittere, cum me

Job XIV. 2.

A monk  
exiled to an  
unpleasant  
and cold  
place for un-  
just reasons,  
as he alleges,  
begs his cor-  
respondent  
to intercede  
with the  
prior for his  
return.

mem. 5.

Heb. XII. 6

<sup>1</sup> proturbacionibus, MS.

<sup>3</sup> pauperime, MS.

<sup>2</sup> quod, MS.



in aliquo contra ipsi[us] vel alicuius alterius personam deliquisse non recolo nec recolendo reminiscor, nisi quod malicia aliquorum, qui, inuidia instigante, quorum nomina michi satis sunt nota, a me gratiam ipsius nituntur auferre et famam denigrare. Set diuina chooperante gracia ipsius dis-

Heb. X, 30. positioni me subicere conabor, qui dicit, '*Michi vindictam, et ego retribuam,*' in infirmitatibus et tribulacionibus deum

2 Cor. XII. 9. collaudans et glorificans ad instar apostoli, qui ait, '*Libenter gloriabor in infirmitatibus meis, ut inhabitet in me virtus Christi.*' Hinc est quod cum magna fiducia vestre supplico paternitati, quatinus, cum tempus oportunum aduenerit, et quando melius et commodius videritis expedire, dominum priorem super status mei qualitate suggerendo, si placet, conuenire velitis, dicentes ei aliquod verbum expediens, vt michi vestram benignitatem, sicut sepius, sentiam profuturam; non ut michi aliquem rem dico conferat temporalem vel alicuius rei temporalis curam, set, cum ad partes istas aduenerit, in conspectu fratrum, qui me quasi derelictum, deiectum et confusum paruipendendo despiciunt, michi faciem ostendat hillarem et iocundam, vt uidelicet sic caute fama mea aliquantulum valeat restaurari. Omnia ista, uobis sicut secreta et sub sigillo confessionis significata, velle vestrum et beneplacitum michi vestro, immo, ut ita dicam, vestrissimo, per aliquem interuenientem literatorie, si placet, significare dignemini. Valete.

### iii. COLDINGHAM.

[1248-58.]

S, fo. 15 (3). 36. Procuratoria.

Prior  
Bertram  
appoints  
Henry [de  
Sylton],  
prior of  
Coldingham,  
his proctor  
in Scotland  
for spiritual  
suits.

Uniuersis &c., *Bertramus*, prior *Dunelmensis* ecclesie, salutem. Noueritis nos constituisse dominum *Henricum*, priorem de Coldingham,<sup>a</sup> procuratorem nostrum in omnibus causis tam ordinaria potestate motis uel mouendis pro nobis uel contra nos, quam auctoritate summi pontificis delegatis uel delegandis pro nobis uel contra nos, quibuscunque diebus et locis in regno Scocie ad agendum, defendendum, transigendum uel componendum, paciscendum, petendum et recipiendum coram quib[us]cunque iudicibus. Ratum habituros quicquid idem *Henricus* super premissis duxerit faciendum, iusticia mediante, et pro eo, si neccesse fuerit, iudicatum solui promittimus. Hoc idem quibuscunque iudicibus et partibus significamus. Valete in domino.



[1258-c. 65.]

## 37. Littera procuratoria.

Vniuersis sancte matris &c., Hugo &c. Noueritis quod nos dilectos in Christo filios dominos Iohannem de Walkington', terrarium, et Willelmum Cuthbert, elemosinarium, et Henricum de Hornecastle, sacristam de Coldingham',<sup>a</sup> procuratores nostros sub alternacione constituimus, facimus et ordinamus in omnibus causis et negociis pro nobis uel contra nos motis uel mouendis, coram quibuscunque iudicibus, ordinariis siue delegatis, contra quascunque personas, quibuscunque diebus et locis, nos quocumque modo in regno Scocie contingentibus; concedentes eisdem uel vni eorum potestatem pro nobis agendi, defendendi seu transigendi, appellandi, appellacionem innouandi et prosequendi, petendi et recipiendi, in animas nostras quodlibet genus iuramenti iurandi, quociens opus fuerit uel neccessitas iudicialis hoc exegerit, et omnia faciendi alia, que ueri et legitimi procuratores seu procurator facere possunt uel potest in iudicio vel extra. Damus etiam eisdem procuratoribus et vni eorum potestatem constituendi seu substituendi alium procuratorem loco suo, quociens uiderint uel uiderit expedire. Ratum habituri et gratum quicquid dicti procuratores uel eorum aliquis, quem in predictis causis seu negotiis presentem esse contigerit, mediante iusticia, duxerint uel duxerit faciendum; et pro eis uel eorum quoquam uel procuratore ab eisdem uel eorum altero, ut premissum est, substituto, quociens uices rei sustinemus, iudicatum solui promittimus.<sup>1</sup> In cuius rei &c. Dat' &c.

*S. fo. 26 (6)*  
Prior Hugh appoints John de Walkington, terrier, William Cuthbert, almoner, and Henry de Hornecastle sacrist of Coldingham. his proctors in Scotland for spiritual suits.

1269.

## 38. Item, alia [littera ad constituendum atornatum in curia laycali].

Excellentissimo principi domino *Alexandro*, dei gracia regi Scottorum, *Hugo*, prior *Dunelmensis*, salutem, et quicquid potest honoris et obsequii. Nouerit excellencia uestra nos constituisse et ordinasse dominos N. et N. atornatos seu procuratores nostros in omnibus placitis, querelis necnon et negociis, nos et domum nostram *Dunelmensem* qualitercunque contingentibus racione tenementorum et terrarum, quas in rengno Scocie ex collacione progenitorum uestrorum regum Scottorum et uestra possidemus; dantes eisdem uel eorum

*M. mem. 1 recto (21).*

Prior Hugh accredits proctors to King Alexander III of Scotland for dealing with temporal suits.

<sup>1</sup> permittimus, *MS.*

alteri plenariam potestatem omnia predicta placita, querelas et negocia nostra exsequendi et defendendi, et omnia et singula faciendi, que facere possemus si presentes esse possemus, coram vobis vel eciam coram quibuscunque iusti[ci]ariis, vicecomitibus seu eciam quibuscunque aliis balliuis vestris, quibuscunque diebus et locis. Et ideo vestre supplicamus celsitudini, quatinus predictos N. et N., vel alterum ipsorum, quem presentem esse contigerit, loco nostri ad predictorum placitorum, querelarum necnon et negotiorum execucionem vel defensionem admittere velit. Ratum enim habebimus et gratum quicquid predicti N. et N., vel alter eorum, qui presens fuerit, nomine nostro super premisis duxerint vel duxerit faciendum, iusticia mediante. In cuius rei testimonium has litteras nostras fieri fecimus patentes, duraturas a festo Sancte Kateryne, anno domini M<sup>o</sup>CC LX<sup>o</sup>IX usque ad duos annos proximo sequentes et plene inde completos. Dat' &c.

? 25 Nov.  
1269.

[? 1259-60.]

M, mem. 2  
recto (4).

[Henry de  
Sylton],  
prior of  
Coldingham,  
requests the  
convent of  
Durham to  
allow his  
resignation.

39. Littere resingnacionis prioratus.<sup>a</sup>

Reuerendo patri in Christo &c., et promptam cum omni deuocione et reuerencia obedienciam. A venerabilis paternitatis vestre non credo excidisse memoria me ob causas rationabiles oneris, humeris meis inportabilis, quod in prioratu de *Coldingham* in spiritualibus et temporalibus longo tempore sustinui, a uobis et a capitulo *Dunelmensi* instanter petisse absolucionem, eo quod corporali debilitate et validudine, qua fere continue detentus, sine corporali dispendio dicti prioratus regimini nec in spiritualibus nec in temporalibus, deficientibus viribus, vlterius commode nequeo preesse. Qua de causa vobis omni qua possum supplico affectione, quatinus, si placet, diuine caritatis intuitu cessionem meam et resignacionem, vobis sepius verbis et litteris oblatam, gratanter velitis admittere, et me ab omni cura spirituali et temporalis, per vos et capitulum *Dunelmense* in dicto prioratu obtenta, omnino dingnemini absolvere. Valet &c. Dat' &c.

[? 1259-60.]

40. Littere de cessione concessa.

M, mem. 2  
recto (5).

*Hugo*, prior, et conuentus *Dunelmensis* &c., dilecto fratri N. &c. Ex quo vnanimiter et euidenter perpendimus

ad releuacionem celle nostre de *Coldingham*, onere paupertatis depresso, ponderatis hinc inde circumstanciis, nisi per vestram cessionem et resignacionem, quam instanter diu petistis et petitis a nobis admitti, aliam viam non esse ita compendiosam, vos ad instanciam uestram a cura spirituali et temporalis, in prioratu de *Coldingham* per capitulum *Dunelmense* optenta, per presentes litteras nostras patentes, sigillo capituli nostri signatas, in omnibus penitus absolui-  
mus, et specialiter ob vestram impotenciam et infirmitatem, qua corporaliter estis detenti et sepius grauati, ita quod ad laborandum circa dicti prioratus regimen in temporalibus et spiritualibus sine corporali dispendio vlterius non estis habiles, sicut nobis viua uoce oretenus dixistis, et postea litteratorie et patenter sub sigillo vestro scripsistis, quam scripturam in testimonium cessionis vestre petite et obtente penes nos retinemus illibatam. Valete. Dat' &c.

Prior Hugh and the convent allow the resignation of [Henry de Sylton].

[? 1259-60.]

41. Littere misse capitulo de *Coldingham* super cessione.

*M. mem. 2 recto (6).*

Hugo, prior, et conuentus &c. Vobis mandamus in virtute obediencie, qua capitulo *Dunelmensi* tenemini, firmiter iniungentes, quatinus ad releuacionem domus de *Coldingham* negocium, pro cuius expedicione dilectos fratres nostros et commonachos procuratores nostros ad uos transmittimus, secundum decretum capituli *Dunelmensis*, quod viua uoce vobis exponent, ita efficaciter ad unguem prosequamini, sicut canonicam rebellibus infligendam vultis euadere ulcionem; sigillum vestrum apposituri litteris uobis super cessione impetranda directis, et litteris domino regi super cessione admissa dirigendis. Quicquid enim in hac parte agimus ad vestre persone honorem et domus de *Coldingham* releuacionem, sicut deo volente in breui apparebit, si propositum nostrum optatum sorciatur effectum, facimus. Igitur hiis, que dicti procuratores nostri vobis ex parte nostra circa cessionis vestre negocium prosequendum dicent, fidem in omnibus tanquam nobis adhibeatis indubitata<sup>1</sup>; quorum facta et dicta ita a nobis sunt limata,<sup>2</sup> quod ea sine nostra<sup>3</sup> nullo modo poterunt excedere offensa. Habeatis itaque vos in omnibus caute et fideliter ad ecclesiam *Dunelmensem*, ut in nullo inueniamini reprehensibiles. Valete.

Prior Hugh and the convent order the chapter of *Coldingham* to proceed with the business of the resignation of [Henry de Sylton].

<sup>1</sup> indubitatem, *MS.*

<sup>3</sup> nostro, *MS.*

<sup>2</sup> for limitata.



[? 1259-60.]

M, mem. 2  
recto (7).

42. Item, littere de cessione.

Prior Hugh and the convent chide [Henry de Sylton] for wishing to withdraw his resignation, and for allowing the intervention of the bishop of St. Andrews.

Horace, Epistles, I, I, 98.

Prov. XXVI. 11.

Matt. XVIII. 7.  
Pers., 3, 64.  
Ovid, Remedium Amoris, 91.

mem. 3.

*Hugo*, prior &c., salutem et spiritus sanioris concilium. Si tacere vellemus, vrget loqui neccessitas, et si locuti fuimus, uerba nostra, quod non sine dolore dicimus, mirabili et intollerabili admiracione sunt plena, quod uos, quem aliquando virum probatum estimauimus, tam subito iam in alterum virum mutatum audiuius, in tantum ut contra conscienciam vestram et propositum religionis et professionis uestre non inpalam, set, quod iam deterius est, non in modicum grauamen, scandalum et lesionem *Dunelmensis* ecclesie et fratrum uestrorum quosdam perturbatores, impeditores et malignantes atte[m]ptatis procurare, ut verificetur in vos illud poeticum, *Quod petiit spernit, repetit quod nuper omisit*, et manifeste conuincamini velle vos contra veritatem petitionis vestre in cessione prioratus ad priora redire; absit ut *canis* reuertatur *ad vomitum*. Expectauimus tempora meliora, in quibus decreueramus uos secundum continenciam vestram priorem et oppinionem conceptam honorare, set vos, quod sine angustia non dicimus, spiritum nostrum extinguere nitimini, prestando nobis occasionem contra vos, ut possit dici, '*Ve ei per quem scandalum venit.*' Quia igitur scriptum est, *Veniēti occurite morbo seriusque medicina paratur* &c.,<sup>1</sup> hortamur vos sub omni interminacione comminacionis, vt, virum priorem induentes, posteriorum obliti, ad anteriora vos extendatis, et, si qua hactenus perperē<sup>2</sup> atemptata sunt, taliter emendare / et reuocare in presenti curetis, ut de futuro caueatis, ne, quod absit, ad ingratitudinem reddamur ingrati, et ad districcionem corepcionis cogamur inuiti. Tantum facientes, ut episcopus Sancti Andree, qui, ut dicitur, per vos contra nos attemptat inaudita, et atte[m]ptata reuocet et emendet. Valete.

[? 1259-60.]

M, mem. 3  
recto (1);  
L, mem. 2  
recto (18).

Henry de Sylton, prior of Coldingham, announces his resignation to Alexander III, king of Scotland.

43. Littere misse regi Scocie de cessione.<sup>3</sup>

Excellenti domino *Alexandro*, dei gracia illustri regi Scocie, frater *Henricus* de Sylton,<sup>4</sup> prior de *Coldingham*, deuotus suus et fidelis, salutem, et promptissimum ad beneplacita famulatum. Regie excellencie vestre per presentes

<sup>1</sup> Principiis obsta: sero medicina paratur, *Ovid.*

<sup>2</sup> prope, *MS.*

<sup>3</sup> *Om. tille, L.*

<sup>4</sup> A. de B., *L.*



litteras patentes, sigillo meo singnatas, significo me ob grauem infirmitatem et corporis valitudinem, qua continue affligor,<sup>1</sup> regimen prioratus de *Coldingham*, in temporalibus et spiritualibus optentum a capitulo *Dunelmensi*, in manus domini *Hugonis*, eiusdem loci prioris, viua voce et litteris meis cum omnibus annexis resingnasse, eo quod viribus meis deficientibus dicti prioratus onus, humeris meis inportabile, ad profectum eiusdem sine corporis detrimento vltius commode nequeo supportare. Quare regie maiestatis vestre pedibus prouolutus, omni qua possum vobis supplico affectione, quatinus, si placet, diuine caritatis<sup>2</sup> intuitu meam resignationem quoad dictum prioratum, mediante regia clemencia vestra, ratam et gratam habere dignemini,<sup>3</sup> et prioratum de *Coldingham*, per meam cessionem prioris solacio destitutum, ob reuerenciam Sancti Cuthberti regali protectione fouere, vt, sub vestre vmbra tuicionis magnifice<sup>4</sup> a paupertatis calamitate, qua ad presens deprimitur, processu temporis deo volente mereatur<sup>5</sup> respirare. Conseruet dominus regiam excellenciam<sup>6</sup> uestram sue sancte ecclesie per tempora longiora.

[? 1260.]

44. Littere presentatorie prioris de Coldi[n]gham' misse ad regem Scocie.

Excellenti domino *Alexandro*, dei gracia illustri regi Scocie, deuoti sui, *Hugo*, prior, et capitulum *Dunelmensis* ecclesie, salutem, et promptissimum ad beneplacita famulatum. Regie maiestati uestre per presentes litteras patentes, sigillo nostro communi signatas, significamus nos ad magnam instanciam domini *Henrici* de Sylton', quondam prioris de *Coldingham*, a cura, a nobis in dicto prioratu optenta, cum omnibus sibi annexis, ostensis causis racionalibus per uiuam uocem et litteras, quantum in nobis est, [eum] absoluisse. Ob quam causam ad dictum prioratum, per eius cessionem<sup>7</sup> prioris solacio destitutum, dilectum fratrem nostrum et monachum, dominum *Germanum*, uirum prouidum et discretum in spiritualibus et temporalibus, uobis et regno uestro fidelem et perneccessarium, ad faciendum uobis quod de iure facere debet per dilectos fratres nostros, dominos N. et N., procuratores nostros et commonachos, uobis presentamus; omni qua pos-

*S., fo. 16v (1).*

Prior Hugh and the convent present German as prior of Coldingham to Alexander III, king of Scotland, after the resignation of Henry de Sylton.

<sup>1</sup> affligor continue, *L.*

<sup>2</sup> pietatis, *L.*

<sup>3</sup> dignemini optinere, *L.*

<sup>4</sup> tuicionis vestre magnifice, *L.*

<sup>5</sup> valeat, *L.*

<sup>6</sup> regiam ex &c., *L.*

<sup>7</sup> Add a, *MS.*

sumus affectione dominacioni uestre supplicantes, quatinus eundem sub regali uestra proteccione et domum de *Coldingham*, cuius regimini de vnanimi assensu nostro prefectus est, diuine caritatis intuitu recipere dignemini. Non moleste, si placet, ferentes, quod hac uice ad ipsum uobis presentandum personaliter accedere comode non possimus, eo quod regiis mandatis nuper sumus preuenti, ut, sicut domini nostri regis Anglie commodum diligimus et honorem, eidem, a transmariis reuertenti, infra quindenam Londoniis personaliter occurramus.<sup>a</sup> Valeat regia magnificencia uestra hic et in e[ter]num.

Hugh regrets that he cannot make the presentation this time in person, as he has been ordered by the king of England to meet him at London on his return from abroad.

[? 1260.]

*M. mem. 3 recto* (2).

Prior Hugh and the convent are amazed that trouble should have arisen between German, prior of *Coldingham*, and Gameline, bishop of St. Andrews, over the oath of canonical obedience.

*Coldingham* is exempt from the jurisdiction of the bishops of St. Andrews, and the bishop has no part in the institution or destitution of its priors.

Extract from the agreement between the convent and the see of St. Andrews.

45. Littere misse episcopo Sancti Andree in forma pacis.

Venerabili patri &c., *Hugo*, prior, et capitulum &c., et promptissimum ad beneplacita famulatum. A uenerabilis paternitatis vestre memoria non credimus excidisse nos dilectum fratrem nostrum et commonachum, *Germanum*, quem de vnanimi assensu per cessionem domini *Henrici*, quondam prioris de *Coldingham*, eiusdem loci prioratui prefecimus ad faciendum de iure quod uobis facere deberet, transmisisse secundum *Dunelmensis* ecclesie consuetudinem antiquam et priuilegiorum nostrorum tenorem, a quo, quia canonicam obedienciam, uobis propter ecclesias, quas in diocese uestra in vsus proprios possidemus, debitam, recipere renuistis, non modicum miramur; et maxime cum situs loci monasterialis ecclesie de *Coldingham* a iurisdiccione uestra, predecessorum uestrorum et successorum certa de causa, teste capitulo Sancti Andree, sit exemptus, ita quod de prioris eiusdem loci institutione vel destitutione ad vos nichil pertineat, nisi canonicæ obediencie tantum admissio secundum conuencionem inter predecessores uestros et ecclesiam *Dunelmensem* ab initio initam et fideliter huc vsque obseruatam, que, a summis pontificibus successiue confirmata, quoad istum articulum talia uerba pro nobis specificat, uidelicet:

‘ Ut monachorum Beati Cuthberti apud *Coldingham* commorantium tam prioris quam aliorum posicio et remocio, sicut hactenus, ita deinceps sub ecclesie *Dunelmensis* potestate consistat ’;<sup>a</sup>

et cum necesse habuerimus, qualiter a tempore cuius non extat memoria isto vsi fuerimus priuilegio, audacter coram toto mundo osten-

dere, cum nobis placuerit, poterimus in patulo. Set quia ad talem ostensionem faciendam ab antecessoribus uestris nunquam fuimus interpellati, videtur nobis et consilio nostro de iuris beneficio paulisper ad hoc faciendum supersedere, et vlteriore dilacionem amicabiliter ob vestram reuerenciam non ob aliam neccessitudinem expetere, cum priuilegiarum ostenciones non nisi in periculis et neccessitatibus constitutis vllatenus sint propallande. Quare vobis quanta possumus supplicamus affeccione, quatinus idemptitati nostre et ecclesie *Dunelmensis*, si placet, prouidentes, iura illius antiqua, consueta et debita paterna dileccione seu sollicitudine dingnemini seruare illibata, quorum iniuriam, quia in iuris prosecucione non continetur, pacienter ferre non poterimus, vt fiducia, quam de vestra beniuolencia huc usque reportauit *Dunelmensis* ecclesia, sibi senciat per beneficiorum collacionem fauorabilem et propiciam, quo de deuota semper deuocior debeat assistere. Et si in aliquo per prefatum *Germanum*, priorem de *Coldingham*, quod non credimus, vestram meruit offensam, diuine miseracionis intuitu eidem relaxare velitis. Situri pro certo quod iuri nostro in nullo derogare intendimus, nec ea, que nobis de iure competunt, aliquo modo pre consciencie claritudine omittere. Igitur tantum in hac parte, si placet, faciatis, ut presens scriptura, tanquam ore ad os essemus locuti, debitum sorciatur effectum, quia quicquid de canonica obediencia de iure secundum priuilegiarum nostrorum tenorem exigere de ecclesia monasteriali de *Coldingham* poteritis, librato iurisperitorum et fidedignorum consilio, seruato iuris ordine, inde vobis competenter satisfaciemus. Valete.

The convent  
hopes that  
the dispute  
will be  
settled  
amicably.

[? 1260.]

46. Forma appellacionis.

Reuerende pater *Gameline*, dei gracia episcopo Sancti Andree, nos, H. et N., monachi *Dunelmenses* et procuratores prioris et conuentus eiusdem loci, in presencia vestra constituti, sedem apostolicam in scriptis appellamus, ne vos vel aliquis vice vestra in cella nostra de *Coldingham* in preiudicium iurium, possessionum et libertatum, nobis et dicte celle tam ex concessione summi pontificis necnon et concessione seu ordinacione pontificum predecessorum vestrorum ex certa causa et sciencia canonice collatarum, ac pacifice huc vsque optentarum, officium visitacionis excercendo, aliquid inquirendo, cognoscendo, suspendendo, interdicens

*M. mem. i  
recto (22).*

The proctors  
of the con-  
uent appeal  
against  
*Gameline*,  
bishop of St  
Andrews,  
lest he in-  
fringe the  
rights of  
the cell of  
*Coldingham*.



seu excommunicando, atte[m]ptetis, ordinetis seu pronuncietis; nos vero, dictam cellam, fratres nostros ibidem comorantes, possessiones nostras, omnia bona nostra mobilia et immobilia in episcopatu vestro existencia, ac ministros eiusdem celle protectioni et tuicioni sedis apostolice supponimus, et in testimonium presentis appellacionis nostre apostolos omni instancia petimus.

[1260-? c. 65.]

47. Littera monitoria de correctione.<sup>1</sup>

S. fo. 16v(2)  
M, mem. 2;  
dorse (4).

S. Greg.  
Mag.,  
Reg. Pastor.,  
pars I, c. 1.

Prior Hugh  
orders  
Roger, prior  
of Colding-  
ham, to  
amend his  
behaviour  
towards H.,  
sacrist of  
Coldingham,  
his office and  
his servants.

1 Reg.  
II-IV.

H., the  
sacrist of  
Coldingham,  
has com-  
plained that  
he has been  
treated  
harshly, and  
that he has  
publicly  
been called  
a traitor and  
a despoiler  
of the cell.

Hugo, prior Dunelmensis, dilecto filio in Christo, domino Rogero,<sup>a</sup> priori de Coldingham, salutem.<sup>2</sup> Cum sit *ars artium regimen animarum*, que subditorum conuersaciones et opera equa nos docet lance pensare, et iuxta singulorum merita nostra moderari iudicia discrecione preambula, ex quo rectoris officium supplere neccesse habemus, durum uobis aut asperum videri non debet, si cor nostrum uobis aperiamus, et que in vobis reprehensione digna reperiuntur, paterna dileccione corripiendo seu reprehendendo corrigamus; presertim quia, si secus ageremus, Hely iudicium possemus nobis formidare futurum, qui cum filiis suis, quorum noluit transgressiones corrigere, crudeli morte multatus est. Ut autem [animas]<sup>3</sup> eorum, de quibus loquimur, in lucem aliqua<sup>4</sup> proferamus, dilecto filio fratre H., sacrista de Coldingham,<sup>5</sup> conquerente, et non solum ex ipsius conquestu, verum etiam multorum tam fratrum quam aliorum relatu,<sup>6</sup> didicimus,<sup>7</sup> quod ipsum, quem, si in aliquo<sup>8</sup> deliquisset, ut obediencie filium corripere potuistis et corrigere seu monere, set ut capitalem inimicum persequi non ueremini, ipsum falsis<sup>9</sup> imposicionibus impetentes, proditorem appellantes, imponentes etiam ei quod domum de Coldingham destruit tam interius quam exterius, et quod uobis malum procurauit et dampnum erga reginam, magnates, burgenses et alios; adicientes quod quicquid<sup>10</sup> dampni sustinetis per<sup>11</sup> eum fuit procuratum, et, quod deterius est, ex hoc uobis materiam assumitis in eum insurgendi, et huiusmodi obprobria contra eum conficiendi, quod mandatum nostrum et capituli Dunelmen-

<sup>1</sup> Om. tulle, M.

<sup>2</sup> H. prior &c., M.

<sup>3</sup> Conjectural insertion.

<sup>4</sup> a<sup>a</sup>, M.

<sup>5</sup> H. de N., M.

<sup>6</sup> relata, MS.

<sup>7</sup> didiscimus, M.

<sup>8</sup> alico, M.

<sup>9</sup> filiis, MS.; alteration, M.

<sup>10</sup> Add seu, MS.

<sup>11</sup> pro, M.



sis exequi presumebat. Nec modo coram fratribus huius-  
[modi] detestabilia proponitis et ei imponitis, set, quod de-  
terius est et detestabilius, coram clericis secularibus et garci-  
onibus, ita quod tota prouincia vos non<sup>1</sup> solum discordes set  
et[iam]<sup>2</sup> inimicos fore credat et affirmet capitales. Quod  
ulterius perpeti, tanto quidem absurdus esset et pernicio-  
sius, quanto constat quod ex hoc non solum ordinis subuersio  
verum etiam tocius professionis nostre dedecus orietur<sup>3</sup> Matt.  
scandalum simul et deprauacio; set *ue / illi per quem scanda-* XVIII. 7.  
*lum uenit.* O si ad memoriam reduceretis quantam uobis  
graciam fecimus et misericordiam, licet immerito, nuper cum  
essetis apud Dunelmum; quanta etiam admiratione moue-  
bantur omnes qui aderant, et adhuc mouentur, ita quod  
quasi parabola uersatur inter fratres in claustro, qualiter  
recessit ille facinorosus, nulla facta correccione de tam detes-  
tabili facto. Verumptamen si factum idem, quamquam ne-  
fandum et ignominia dignum, vos ipsi occultaretis, et dece-  
tero uos emendare curaretis, nunquam de nostris aliquem  
inde loqui permetteremus.<sup>4</sup> Set si iuxta Sapientis uocem,  
stultus *in pila<sup>5</sup> feriente desuper pilo* quasi typsane contusus  
minime poterit a stulticia sua reuocari, quomodo vos a pernec-  
ie, uobis innata et quasi ferrum<sup>6</sup> indurata, per simplex  
uerbum et correccionem simplicem reuocare possemus, nisi  
cooperaretur gracia spiritus sancti, qui non habitat in cor-  
pore subdito peccatis? Et, ut uerbo utamur domini, quo-  
modo poteritis bona facere, qui gloriam propriam et com-  
modum proprium queritis, *et gloriam, que a deo est*, et con-  
sciencie mundiciam *non queritis?* Quapropter, si deterius  
uobis aliquid contingat, uobis est, et nulli alii imputandum. Prov.  
XXVII. 22.

Preterea que ad officium sacriste et aliorum obedientiar-  
iorum nostrorum pertinent, non sua sunt set ecclesie Dun-  
elmensis; unde, si quid eis subtractum fuerit, eiusdem eccle-  
sie libertatibus derogabitur, quas quicumque diminuerit<sup>7</sup> aut  
in aliquo<sup>8</sup> perturbauerit, sententiam incurrit excommunica-  
cionis. Cum igitur debeat seruiens sacriste cum ualletis  
uestris in curia de Coldingham honeste sustentari, et coram  
uobis in camera et alibi ministrare ut vnus de uestris, quando  
non fuerit alibi occupatus,<sup>b</sup> mandamus uobis in uirtute obe-  
diencie, firmiter iniungentes, quatinus decetero non proicia-

Roger is  
given a  
second  
warning.

Joh. V. 44.

The servant  
of the  
sacrist  
must be  
honourably  
entertained.

<sup>1</sup> Sz, M.

<sup>2</sup> et, MS., M.

<sup>3</sup> oriretur, M.

<sup>4</sup> promitteremus, MS.

<sup>5</sup> pilo, MS.

<sup>6</sup> ferum, M.

<sup>7</sup> dum inuenerit, MS.

<sup>8</sup> alico, M.

The chaplains must be properly fed.

The proven-der owed to the sacrist together with everything due to the office must be restored.

The sacrist is not in future to be persecuted, and the convent's procurators are to be obeyed; failing which the subprior and terrier of Coldingham are to enjoin the reforms.

tur in aula cum perhendantibus et<sup>1</sup> ribaldis commesturus, set recipiatur honeste inter uestros, sicut alii qui ante eum fuerunt temporibus predecessorum uestrorum. Et si excusationem pretendere uelitis quod ualletos non habetis, que tamen<sup>2</sup> nulla est, sit cum seruiantibus uestris in dispensa. Continetur etiam tam in martirologio<sup>3</sup> *Dunelmensi* quam de *Coldingham*, quod capellani de eadem habere debent ostouer[i]a duorum monachorum,<sup>c</sup> quod minime sic est intelligendum quod<sup>4</sup> cotidie pisces edant, cum seculares sint, nec possunt<sup>5</sup> ad hoc artari. Ideo<sup>6</sup> sub eadem districtione uobis mandamus, quod eis decenter seruiatur, Dominica uidelicet, tertia feria et quinta de carnibus, reliquisque diebus de piscibus; nec debetis grauari propter aliquid quod sacriste uel alicui de suis impenditis, quoniam de alteragio ecclesie multo plura percipitis, quam ei et omnibus suis confertis. Prebendam etiam, de tempore predecessoris vestri sibi debitam, ei restitui faciatis, cum omnibus aliis que ad officium suum pertinent, quoniam pro certo sciatis, quod nullo modo permittemus quod ei quicquam subtrahatis uel alicui de obedientiariis nostris.<sup>7</sup> Cessetisque<sup>8</sup> decetero ei detrahare, et si fama sua per uos aut uestros in aliquo<sup>9</sup> lesa<sup>10</sup> fuerit, eam pro posse nestro restituere curetis; ipsum et<sup>11</sup> socios suos, procuratores nostros, ut decet, tractetis, et in reditu suo de quocunque itinere decenter, sicut fecerunt predecessores<sup>12</sup> uestri, et in honesto loco procurari faciatis. Premissa singula in uirtute obediencie ita compleatis,<sup>13</sup> ne decetero inde clamorem audiamus. Et si mandatis nostris hiis<sup>14</sup> in aliquo<sup>14</sup> censueritis<sup>15</sup> minime fore parendum, faciatis quod supprior uester et capituli quibus super hoc scripsimus, uobis ex parte nostra et capituli *Dunelmensis* iniungent uel alter eorum iniunget. Valete.

[ante 1273.]

S, fo. 17;  
M, mem. 3  
dorse (2).

47a. Littera de pecunia soluenda.<sup>16 a</sup>

Hugo, prior *Dunelmensis*, priori de *Coldingham*, &c.<sup>17</sup>  
Quoniam filius sapiens et obediens letificando patrem suum

<sup>1</sup> in, MS.

<sup>2</sup> Om., M.

<sup>3</sup> martilogio, M.

<sup>4</sup> ut, M.

<sup>5</sup> non possint, MS.

<sup>6</sup> Ideoque, M.

<sup>7</sup> vestris, M.

<sup>8</sup> Cessetis quod, MS.

<sup>9</sup> alico, M.

<sup>10</sup> lesa, MS.

<sup>11</sup> etiam, MS.

<sup>12</sup> pro dec', M.

<sup>13</sup> compellatis, MS.

<sup>14</sup> alico, M.

<sup>15</sup> sensueritis, M.

<sup>16</sup> Om. tulle, M.

<sup>17</sup> H., prior &c., M.

recto nomine filius uocari comprobatur, ex contrario patet quod [non] est filii nomine dignus censi, cuius uoti transgressio, temeraria presumptio, contumacie et inobediencie supersticio in patris sui obprobrium, in totius religionis, quantum in ipso est, subuersionem, ac in proprie salutis dispendium patent redundare. Huiusmodi agitur filius ille, qui superiorem suum et capitulum, in cuius sinu suauiter ab initio fuerat ablactatus, nutritus et ad quandam perfectionem deductus, paruipendens eorum mandatis licitis et honestis, quibus ex professione sua et uoto obediencie tenetur astrictus, in suarum preiudicium libertatum hactenus obtentorum contra deum et iusticiam contumaciter obtemperare contempnit. Proth dolor ! fili karissime, ad uos dirigitur sermo iste, qui nedum hiis contenti estis, set hiis maiora accumulare molientes, aliorum consilio sinistro nobis detrahendo, scisma inter nos / procurare proponitis. Cum enim nuper uobis<sup>1</sup> pro<sup>2</sup> negociis et negociorum necessitatibus, nos et domum nostram contingentibus, utpote in debitis et arreragiis nobis soluendis, scripserimus, vos, uoti et ordinis uestri immemores, cum magnatibus aliis a nobis et quibus non decuit secreta nostra communicando, tanquam pro accepta ab eis sententia, nos et mandata nostra pro paruo<sup>3</sup> uel nichilo habentes, contumaciter ac temerarie ab eorum sententia, quos dicta minime tangunt negocia, asseritis nunquam uita comitante recedere; adicientes iure iurando vos nunquam pro peccunia, nobis et domui nostre debita, vnam ouem uendituros; que quidem uerba nichil aliud pretendunt quam euidentiam presumptionis et contumacie.

Prior Hugh is amazed at the contumacy of the prior of Coldingham, who, in alliance with nobles and others who have no interest in the business refuses to pay debts and arrears due to Durham.

fo. 17v.

Cham<sup>4</sup> ridet detecta uidens secreta parentis, et perpetue omnium fratrum suorum seruituti addictus est. Pericula igitur hec et maiora nos et uos, si negligenter dissimulauerimus in hac parte, ad precipitium, quod absit, dampnationis trahencia declinare cupientes, discrecionem uestram excitando monemus et exhortamur in domino, atque in uirtute obediencie, in qua nobis et capitulo *Dunelmensi* tenemini, sub pena excommunicacionis et interdicti uobis districte precipiendo mandamus, quatinus, consilio saniori innitentes, sicut condignam rebellibus ac excommunicatis<sup>5</sup> infligendam uultis euadere ulcionem, nobis, sicut decet, ac mandatis [nostris] obtemperare curetis, nobis in illa summa peccunie,<sup>6</sup>

Gen. IX.  
20-27.

The money must be paid before 25 June, otherwise the prior will be excommunicated.

<sup>1</sup> nobis, *MS.*

<sup>2</sup> per, *MS.*

<sup>3</sup> paruo, *MS.*

<sup>4</sup> Cam certe, *M.*

<sup>5</sup> comunicacionis, *MS.*

<sup>6</sup> peccunia, *MS.*

in qua nobis tenemini, uel saltem in summa uobis per nuncios nostros<sup>1</sup> ostensura, infra festum instans<sup>2</sup> Beati Iohannis Baptiste satisfacere nullo modo omittentes; alioquin extunc auctoritate dei patris<sup>3</sup> omnipotentis et nostra excommunicationis sententia uos innodamus, et ab ingressu ecclesie, ac fratrum, diuinorum sacramentorumque communione sequestramus; denique protestantes extunc omnes fratres uobiscum communicaturos eadem sententia fore ligatos. Valet.

12 June 1263.

*S.*, fo. 23v.  
(1);  
*M.*, mem. 6  
dorse (5).

Prior Hugh  
and the con-  
uent of Dur-  
ham, with  
the assent of  
Roger,  
prior of  
Coldingham,  
grant a  
corrody to  
Elias de  
Innerwic, the  
baker at  
Coldingham.

48. Memorandum quod anno gracie M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> tercio in crastino Sancti Barnabe Apostoli concessum fuit Helye, pistori de Coldingham,<sup>a</sup> corredium suum in domo de Coldingham, sub hac forma:<sup>4</sup>

[Littere] de corredio concessio.<sup>b</sup>

Omnibus &c., Hugo, prior, et conuentus Dunelmensis<sup>5</sup> &c. Attendentes Helyam de Innerwic, pistorem,<sup>6</sup> in seruicio prioris et conuentus celle nostre de Coldingham<sup>7</sup> per multum temporis stetisse, et eisdem in officio suo diligenter ac fideliter ministrasse, ne labor iuuentutis in maturiori etate sibi maneat<sup>8</sup> infructuosus, eidem ex assensu et uoluntate domini Rogeri, prioris eiusdem celle, concessimus et presenti scripto<sup>9</sup> confirmauimus, quod si aliquando contingat eum in aliquam incidere infirmitatem seu debilitatem per etatem uel alio modo, quominus possit in officio suo in curia de Coldingham<sup>10</sup> ministrare, aut a seruicio predictorum prioris et conuentus absque manifesto et euidenti sui ipsius defectu et offensa ipsum contingat amoueri, habeat in tota uita sua corredium suum per manum celerarii, qui pro tempore fuerit, de curia de Coldingham<sup>10</sup> sibi liberandum, uidelicet qualibet die vnum panem monachi et vnam lagenam ceruise<sup>11</sup> monachilis<sup>12</sup> et vnum ferculum de coquina competens, tribus uidelicet diebus de carnibus, reliquisque diebus de piscibus. Et vt ista nostra concessio et<sup>13</sup> confirmacio robur firmitatis optineat, presenti scripto sigillum capituli nostri fecimus apponi.<sup>14</sup>

Eodem die concessa fuit eidem Helye et Roberto, primo-  
genito suo, quedam carta de domibus et quibusdam terris

<sup>1</sup> nostra, *MS.*

<sup>2</sup> instantis, *M.*

<sup>3</sup> *Om.*, *M.*

<sup>4</sup> *Om.* the above, *M.*

<sup>5</sup> *Om.*, *M.*

<sup>6</sup> *N.* de *N.*, *M.*

<sup>7</sup> *N.*, *M.*

<sup>8</sup> manz, *MS.*

<sup>9</sup> scripte, *MS.*

<sup>10</sup> *N.*, *M.*

<sup>11</sup> ceruise, *MS.*

<sup>12</sup> monachalis, *M.*

<sup>13</sup> *Om.* concessio et, *M.*

<sup>14</sup> *Om.* the following note, *M.*



in uilla de Coldingham pro homa(gio) et seruicio ut habetur in (....).

#### iv. FINCHALE.

24 June [1247.]

49. *Henricus*, dei gracia rex Anglie &c., venerabili in Christo patri, domino *Nicholao*, eadem gracia *Dunelmensi* episcopo, salutem. Ostensum est nobis ex parte prioris *Dunelmensis*, quod, cum secundum libertates, quas habet ecclesia uestra a predecesoribus nostris, regibus Anglie, infra Tynam et Teysam, a iusticiariis nostris, cum eos itinerare contingat in comitatu Norhumbrie, singulos admittere debeatis articulos, quos placitare debebunt iusticiarii uestri infra libertatem uestram predictam, uos ultra articulos, quos uobis habere fecerunt iusticiarii nostri, ultimo itinerantes in comitatu uestro, et eciam postquam iusticiarii nostri [...] infra libertatem uestram predictam, ante iteratum aduentum iusticiariorum nostrorum ad partes illas, summoneri fecistis ad curiam uestram priorem de Finchal, qui sine suo superiore, predicto priore *Dunelmensi*, rem ducere non poterit in iudicium, ad respondendum uobis super quadam terra, quam de uobis tenere debet in capite, ut dicitis. Et quia hoc manifeste est contra coronam et dignitatem nostram, uobis prohibemus, ne placitum illud teneri faciatis, donec iusticiarii nostri in predicto comitatu uestro iterato itinerauerint. Teste meipso apud Merleberg', xxiiij. die Iunii.

S, fo. 76v.  
(2).

King Henry, instigated by the prior, forbids Nicholas, bishop of Durham, to proceed in a suit against the prior of Finchale, until the royal justices shall visit the county.

#### v. LYTHAM.

1233.

50. Memorandum quod ius patronatus ecclesie de Appelby per Margaretam Banastre collatum est domui de Lythum, quod patet per cartam ipsius. Que ecclesia tempore Clementis, tunc temporis prioris eiusdem, vacans, post tempus elapsum sequestrata est per ordinarium loci, Hugonem, episcopum *Lincolniensem*, et tandem per negligenciam dicti prioris cuidam clerico, Thome uidelicet de Andeley, est collata.<sup>a</sup> Set, ne per hoc fieret preiudicium dicto priori, presentatus est predictus clericus per supradictum priorem memorato episcopo ad eandem ecclesiam et admissus, sicut patet per litteram eiusdem episcopi, cuius forma talis est, 'Omnibus Christi fidelibus &c.'<sup>1</sup>

S, fo. 19 (2).

Memorandum on the church of Appley.

<sup>1</sup> Passage in second hand added at the bottom.

Littera presentacionis.<sup>1</sup>

Admission of Thomas de Andeley to the church of Appleby by Hugh, bishop of Lincoln, on the presentation of Clement, prior of Lytham.

13 Dec.

Omnibus Christi fidelibus ad quos presens scriptum peruenit, Hugo, dei gracia *Lincolniensis* episcopus, salutem in domino. Nouerit vniuersitas uestra nos ad presentacionem prioris de Lithum, patroni ecclesie de Appelby, dilectum in Christo filium, Thomam de Andeley, clericum, ad eandem ecclesiam admisisse, ipsumque in ea canonice personam instituisse, saluis in omnibus episcopalibus consuetudinibus et *Lincolniensis* ecclesie dignitate. Et in huius rei testimonium presenti scripto sigillum nostrum duximus apponendum. Dat' per manum Gwarini de Kyrketon', capelani, canonici *Lincolniensis*, apud Stowam', Id' Decembris, pontificatus nostri anno uicesimo quinto.

Stephen de Dalton, prior of Lytham, granted permission to present to Appleby after the death of Thomas.

Mortuo autem predicto rectore, concessa est Stephano de Dalton', priori de Lithum,<sup>b</sup> licencia presentandi ad ecclesiam prefatam personam idoneam, ita quod ipse de presentati idoneitate pro priore et conuentu *Dunelmensibus* coram deo respondeat.

1262.

S. fo. 16 (3)

51. Memorandum quod anno domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> secundo impetrauit *Stephanus*, prior de Lithum, tale breue et prosecutus est.<sup>a</sup>

Littera de iustic' [*sic*] rectitudinis priori *Dunelmensi*.<sup>2</sup>

Royal writ obtained by Stephen, prior of Lytham, ordering William le Butteller to show before the king's justices why he has despoiled the prior of the right of wreck on the coast.

*Henricus*, dei gracia rex Anglie, dominus Hybernie, et dux Aquitanie, vicecomiti *Loncastrie*, salutem. Si prior *Dunelmensis* fecerit te securum de clamio suo proseguendo, tunc pone per vadium et per saluos pleggios Willelmum le Butteller, quod sit coram iusticiariis nostris apud Westmonasterium in octabis Sancti Michaelis, ostensurus quare wreccum applicans in costera maris de Mulespole et la Croyz<sup>b</sup> in comitatu tuo, quod ad ipsum priorem pertinet per cartas predecessorum nostrorum regum Anglie et nostram, vnde idem prior et predecessores sui in pacifica possessione hactenus existerunt, ut dicunt, eidem priori iniuste deforciat et eum impedit, quominus wreccum illud percipere possit, sicut illud percipere debet, et ipse et predecessores sui illud ibidem hucusque percipere consueuerunt, in ipsius prioris dispendium non modicum et grauamen, ut dicit. Et habeas ibi nomina pleggiorum et hoc breue. Teste meipso apud Westmonasterium, xxiii. die Iunii, anno regni nostri XL<sup>o</sup>VI<sup>o</sup>.

23 June 1262.

<sup>a</sup> Contemporary marginal note.

<sup>2</sup> Contemporary marginal note.

[? c. 1262.]

52. Salutem. Ampla vestra patrocinandī facultas promptaque et liberalis benefaciendī voluntas, quam in negociis, nos et ecclesiam nostram contingentibus, expediendis semper sine ficcione experti sumus fauorabilem et sinceram, vestram nunc sicut alias soli(citan)di curialitatem pro amicis nostris, immo pro nobismet, ipsis vberiore[m] prestat audaciam. Hinc est quod cum dilectus filius noster, . . . .<sup>1</sup> *Stephanus*, prior celle nostre de N., vna cum ceteris vicinis suis summonitus fuerit, ut compareat coram consiliariis domini regis in quindena pasce vbicunque rex fuerit in Anglia ad monstrandum quo iure wrech vtatur uel habeat, et libertas nostra habendi wrech iuxta pia[m] predecessorum domini regis collacionem seu concessionem ad quamlibet terre *Dunelmensis* ecclesie porcionem, quocunque locorum in Anglia sita fuerit, se extendat, ut rationabiliter vobis monstrare poterit per instrumentum bone memorie Gwyllimi, quondam regis *Anglie*, super hoc confectum,<sup>a</sup> vestram omni qua possumus affeccione imploramus excellenciam, quatinus predicto priori, vel eius certo atornato, hanc litteram deferenti, in predictis libertatibus saluandis et manutenendis consilium, auxilium ac fauorem ad instanciam nostram liberaliter, si placet, confer[r]e dingnemini. Tantum, si placet, facientes, ut, preter grates et gracias, quas a nobis semper reportare meruistis, retribucionem condignam a beato patrono nostro Cuthberto repo[r]tare mereamini. Valete.

*M, mem. 6  
dorse (4).*

The prior of Durham requests aid for Stephen, prior of Lytham, who has been summoned before the king's council to plead concerning the right of wreck

[c. 1286.]

53. Prudenti viro *Gilberto* de Clyfton', vicecomiti de Lan-kastre, *Hugo*, prior *Dunelmensis*, salutem &c.<sup>a</sup> Quamquam merita nostra minime preambula extiterint quod in nostris agendis [vestram] discrecionem sollicitare precibus debeamus, de vestra tamen innata bonitate presumentes ac plenius confidentes, vobis quibus possumus prece et affectu rogamus, quatinus fratres nostros apud Lythum commorantes pro amore nostro habere velitis recommendatos in hiis, que ipsos et domus libertatem contingunt, que vestro fauore et gracia ad plenum indigere dinoscuntur; maxime autem super contencione mota inter illos et dominos de Wytheton' et Westeby consulentes et auxiliantes esse velitis cum effectū, omnimodo<sup>2</sup> huiusmodi contencionem, donec de priore loci illius prouider-

*L, mem. 1  
recto (20).*

Prior Hugh asks Gilbert de Clifton, sheriff of Lancaster, to protect the cell of Lytham during a vacancy, and to aid it in its quarrel with the lords of Weeton and Westby.

<sup>1</sup> One word illegible.

<sup>2</sup> omnimodam, *MS.*



imus, quod in breui erit, pacificantes, quo vobis ad condignas pro meritis persoluendas teneamur graciary acciones. Valet.

[? c. 1286.]

*L, mem. 1  
recto (19).*

Prior Hugh  
appoints  
Ambrose de  
Bamburgh  
as prior of  
Lytham.

54. Pateat vniuersis quod nos Hugo, prior *Dunelmensis*, committimus dilecto in Christo filio, domino Ambrosio de Baunb',<sup>a</sup> confratri et commonacho nostro, curam prioratus celle nostre de Lythum in Amundern'; dantes eidem plenariam potestatem tam in temporalibus quam in spiritualibus de consilio confratrum ibidem commorantium ad negocia ipsius loci interiora et exteriora ordinanda vtiliter, ac proseguenda in comitatibus, wapentakibus et assisis coram iusticiis et iudicibus quibuscunque, et ad ecclesiam de Appelby, cum eandem vacare contigerit, personam ydoneam presentandam, et ad omnia alia agenda, que dicte celle salubriter et consulte viderit expedire. Ratum et firmum habituri quicquid idem *Ambrosius*, saluis in omnibus religionis obseruancia et ordinis disciplina, duxerit faciendum in premissis. In cuius [&c.].

vi. ST. LEONARD'S, STAMFORD.

1261.

*S, fo. 17v (1).*

William de  
Elvet an-  
nounces his  
resignation  
of the prior-  
y to Richard  
Gravesend,  
bishop of  
Lincoln.

55. Memorandum quod anno gracie M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup>I<sup>o</sup> ad pascha cessit dominus *Willelmus* de Eluet prioratui de Stanford'. Missus est dominus *Galfridus* de Castro ad dictum prioratum, et directa est littera resignacionis facte episcopo *Lincolniensi*, uel eius *officiali*, quia extra regnum tunc temporis extitit, sub hac forma:

Reuerendo patri in Christo, domino *Ricardo*, dei gratia episcopo *Lincolniensi*, uel eius *officiali*, frater *Willelmus* de Eluet, quondam<sup>1</sup> prior<sup>2</sup> celle Sancti Leonardi extra *Stamfordiam*, salutem, et debitum cum omni reuerencia et deuotione famulatum. Venerabili paternitati vestre per presentes litteras, sigillo meo signatas, significo me ob grauem<sup>3</sup> corporis infirmitatem regimini domus Sancti Leonardi extra *Stamfordiam*, cuius custodiam habui mere, cessisse in capitulo *Dunelmensi* in presencia prioris et conuentus eiusdem. Quam cessionem et dicte celle resignacionem, in octabis pasce, viij. Kal' Nouembris<sup>a</sup> anni gracie M<sup>i</sup>CC<sup>m</sup>i LX<sup>m</sup>i primi, a me spontanee factam, tenore presencium uobis denuncio; omni qua

<sup>1</sup> uel sine quondam, *interlined*, MS.

<sup>2</sup> custos, *interlined*, MS.

<sup>3</sup> grauamen, MS.



possum affeccione supplicans, quatinus, si placet, in dicte cessionis mee testimonium presentes litteras meas recipiatis, et eandem cessionem una cum resignacione mea ratam [et] gratam habere uelitis. Valeat dilecta paternitas uestra semper in domino. Dat' anno, die et loco predictis.

## 1261.

56. Fiebat etiam presentacio capituli sub hac forma episcopo *Lincolniensi*.<sup>a</sup> *S. fo. 17v (2).*

Reuerendo patri in Christo, domino *Ricardo*, dei gratia *Lincolniensi* episcopo, uel eius *officiali*, deuoti sui *Hugo*, prior, et conuentus *Dunelmensis* ecclesie, salutem, et promptum cum omni deuocione et reuerencia famulatum. Quoniam dilectus in Christo, dominus *Willelmus* de Eluet, frater et commonachus noster, quondam prior celle nostre, domus uidelicet Sancti Leonardi extra *Stamfordiam*, graui detentus infirmitate, dicte celle regimini comode ulterius preesse non poterit, eundem eidem sponte cessisse per suas litteras patentes testificamur. Quare dilectum in Christo dominum *Galfridum* de Castro, confratrem nostrum et commonachum, uirum prouidum et discretum, loco ipsius ad dicte celle custodiam per litteras patentes, sigillo capituli *Dunelmensis* signatas, uobis presentamus; omni qua possumus affeccione celsitudinem uestram exorantes, quatinus eundem predictum *Galfridum* ad eandem cellam ad presentacionem nostram benigne admittere uelitis, salua sancte religioni prout decet in omnibus ordinis disciplina. Valeat &c. Dat' &c.

Prior Hugh and the convent present Geoffrey de Castro to the bishop as William's successor.

## [1261-2.]

57. Littera de racione reddenda de receptis.<sup>1</sup>

*S. fo. 17v (3); M, mem. 2 dorse (5).*

*Hugo*, prior *Dunelmensis*, dilecto filio in Christo, domino *Galfrido*, priori *Stanford*, salutem in Christo domino.<sup>2</sup> Cum sit *ars artium regimen animarum*, hii, quibus huiusmodi cura committitur, non solum ut nulli indebite noceant, uerum etiam ut singulis prosint, solliciti intendere debent, ut exemplo magistri nostri Christi fratrum ministri sint non domini, et sic caritas, sine qua casse creduntur uirtutes ceterae, in singulorum cordibus radicet et uigeat. Hinc est quod nos singulorum nostre professionis fratrum profectum exoptantes, ac eorundem<sup>3</sup> paci et tranquillitati pro omni posse

*S. Greg. Mag., Regulae Pastoralis liber, pars I cap. I.*

*I Cor. XIII.*

Prior Hugh orders Geoffrey de Castro, prior of

<sup>1</sup> *Om. title, M.*

<sup>2</sup> eorum, *M.*

<sup>3</sup> *H. prior &c., M.*

fo. 18.

St. Leonard's, to treat his brethren humanely.

He is not to spend money without the knowledge of the monks, but must observe the regulations concerning the public audit of income and expenditure, as ordained by Prior Bertram, and as practised at Durham.

As there is plenty of room, William de Massam should not be denied an opportunity of studying.

Reform is required.

prospicere cupientes, huiusmodi uerba non sine causa uobis inculcare decreuimus, mandantes / uobis et firmiter iniungentes, quatinus fratres uestros, uobiscum commorantes, ita tractare ac eisdem in uestimentis et alimentis ita decenter et sufficienter prouidere curetis, ut uestram merito societatem debeant commendare, et non de indiscrete, quod absit, dominacionis tyrannide querelas deponere; precauentes sumopere<sup>1</sup> contra statutum predecessoris nostri,<sup>2</sup> domini *Bertrami*,<sup>3</sup> aliquatenus agere, uidelicet bona domus uestre absque consilio et consciencia fratrum uestrorum tractando et exponendo,<sup>4</sup> vt sic eadem dissipare dicamini.<sup>a</sup> Quin immo secundum quod ibidem statuitur, et nos *Dunelmi* obseruamus, de omnibus receptis et expensis singulis annis in presencia fratrum uestrorum rationem reddatis, vt sic domus uestre status eisdem, et per eos nobis, liquide possit patere. Nec hoc durum uideri debet, cum nos hoc idem faciamus de omnibus, scilicet tam receptis quam expensis domus *Dunelmensis*, annis singulis in presencia seniorum per bursarium nostrum rationem reddentes.<sup>b</sup> Ad hec, cum camerarum copiam apud uos habeatis, quare uos dilecto filio, domino *Willelmo* de Massam,<sup>5</sup> fratri uestro, locum congruum ad studendos<sup>6</sup> et respiciendos libros inhumane denegatis, prout audiuius, non modicum admiramur. Igitur secundum consilium nostrum et mandatum premissa singula ita emendare curetis et perficere, ne, de eorum aliquo querelam ulterius audientes, manum correccionis rigidiorum circa huiusmodi apponere compellamur, quod utique non uellemus.

1262/3.

S, fo. 18 (1).

Prior Hugh and the convent, after the death of Geoffrey de Castro, inform the bishop of Lincoln that they have appointed William de Wermuth prior, and are sending him to make canonical obedience.

58. Memorandum quod anno domini M<sup>o</sup>CC<sup>o</sup>LX secundo obiit Galfridus de Castro, prior Stanford', vj. Kal' Ianuarii, et substitutus est ibidem dominus *Willelmus* de Wermuth ij. Kal' Martii anni eiusdem.<sup>a</sup> Et habuit litteram domini prioris ad episcopum *Lincolniensem* in hac forma:

De obediencia facienda.

Reuerendo patri &c., *Hugo*, prior *Dunelmensis* &c. Venerabili paternitati uestre significamus nos dilectum in Christo filium, dominum *Willelmum* de Wermuth, commonachum nostrum, latorem presencium, celle nostre Sancti Leonardi

<sup>1</sup> summo opere, M.

<sup>2</sup> vestri, M.

<sup>3</sup> W., M.

<sup>4</sup> expendendo, M.

<sup>5</sup> W. de N., M.

<sup>6</sup> studiend', MS.

iuxta *Stamfordiam* prefecisse, quem ad uos per presentes l[itte]ras nostras patentes mittimus, ad faciendam uobis canonicam obedienciam; omni qua possumus affectione uestram excellenciam exorantes, quatinus eundem *Willelmum* recommendatum habeatis, ac benigne, si placet, admittatis, salua nobis in omnibus ordinis disciplina. In cuius re testimonium presentes litteras sigillo nostro fecimus communiri. Dat' &c. Valeat &c.

1262/3.

59. Habuit et aliam cum sigillo capituli sub hac forma:

S, fo. 18 (2).

Presentacio.

Presentation  
of William  
to the bishop  
for  
admission.

Venerabili patri in Christo &c., deuoti sui *Hugo*, prior, et conuentus &c. Reuerende paternitati uestre significamus nos dilectum fratrem et commonachum nostrum, dominum *Willelmum* de *Wermuth'*, uirum prouidum et discretum, custodem celle nostre Sancti Leonardi iuxta *Stamfordiam* fecisse, quem uobis per presentes litteras nostras patentes presentamus ad dicte celle nostre custodiam; omni qua possumus affectione celsitudinem uestram exorantes, quatinus eundem predictum *Willelmum* recomendatum, si placet, habentes, ipsum ad antedicte celle custodiam benigne admittere dignemini, salua nobis in omnibus disciplina. Valeat &c. Dat' &c.

1262/3.

60. Habuit et aliam litteram fratribus dicte celle directam sub hac forma:

S, fo. 18 (3).

Littere monitorie.

The cell is  
ordered to  
obey  
William.

*Hugo*, prior *Dunelmensis*, dilectis in Christo filiis, commonachis apud cellam Sancti Leonardi iuxta *Stanfordiam* commorantibus, salutem in domino. Quoniam dilectum in Christo filium, dominum *Willelmum* de *Wermuth'*, uobis et celle uestre antedicte duximus preficiendum, mandamus uobis in uirtute obediencie, firmiter iniungentes, quatinus eidem *Willelmo*, tanquam a nobis instituto, sitis intendentes, et prout decuerit obediennes; ita mores uestros et uitam secundum deum et regularis obseruancie institutionem in omnibus componere satagentes, ut laudabilis conuersacionis uestre fama letificare possit audientes. Valete.

[1263.]

*S, fo. 18 (4).* 61. Porrecta uero littera presentacionis episcopo, fecit eum iurare ut obedienciam ei faceret in canonicis mandatis, et, facto iuramento, dixit, ‘Ego instituo te, et trado tibi curam animarum.’ Et misit archidiacono ut exequeretur quod suum esset; quod et archidiaconus mandauit decano. Decanus autem relaxauit sequestrium, et reuocauit sententiam; nec aliud fecit.

The bishop  
is requested  
to admit  
William.

Reuerendo patri in Christo, domino *Ricardo*, dei gratia *Lincolniensi* episcopo, deuoti filii sui, *Hugo*, prior, et conuentus *Dunelmensis* ecclesie, salutem, et debitam cum omni deuotione reuerenciam. Venerabili paternitati vestre ad custodiam celle nostre, domus uidelicet Sancti Leonardi iuxta *Stamfordiam*, per mortem fratris *Galfridi*, quondam eiusdem celle custodis, vacantem, presentamus dilectum fratrem et commonachum nostrum, dominum *Willelmum* de *Wermuth*; omni qua possumus affectione vos exorantes, quatinus eundem *Willelmum* ad dicte celle custodiam benigne, si placet, admittatis, quod uestrum est circa ipsum, mediante iusticia, exequentes, saluis nobis ecclesie *Dunelmensis* libertatibus et ordinis in omnibus disciplina. In cuius rei testimonium presens scriptum sigillo capituli nostri fecimus communiri. Valeat &c. Dat’ &c.

## 62. Presentacio ad prioratum.

*M, mem. 3  
recto (3).*

Presentation  
of a prior to  
the bishop  
for  
admission.

Reuerendo &c., salutem, et promptum cum omni deuotione et reuerencia famulatum. Quoniam dilectus in Christo dominus N., frater et commonachus noster, quondam prior celle nostre, domus uidelicet Sancti N., graui intentus infirmitate, dicte celle regimini comode ulterius preesse non poterit, eundem ei sponte cessisse per suas litteras patentes testificamur. Quare dilectum in Christo, dominum I. de N., confratrem nostrum et commonachum, virum prouidum et discretum, loco ipsius ad dicte celle custodiam per litteras patentes, sigillo capituli *Dunelmensis* singnatas, vobis presentamus; omni qua possumus affectione celsitudinem vestram exorantes, quatinus eundem predictum I. ad eandem cellam ad presentacionem nostram benigne admittere velitis, salua sacrosante religioni prout decet in omnibus ordinis disciplina. Valeat &c. Dat’



[1291; 1293.]

63. Salutem. Quia ob causas rationabiles dilectum nobis in Christo, dominum *Galfridum* de *Sancto* [Botulfo],<sup>a</sup> latorem presencium, custodie celle nostre iuxta *Stamfordiam* loco uestro duximus preficiendum cum eius cure totalis commissione, vobis mandamus, quatinus statum illius domus verum coram cunctis fratribus recitatum cum totali cura vobis commissa eidem *Galfrido* tradatis indilate; vobis eciam firmiter iniungentes, ut, visis presentibus, resignacioni vestre exinde faciende secundum formam uobis transmissam sigillum vestrum apponentes, in eisdem equis, quibus dictus *Galfridus* ad uos accesserit, summa diligencia<sup>1</sup> ad domum cum pannis accedatis.

*L. mem. 1*  
*dorse (18).*

The prior is  
ordered to  
resign the  
cell, and  
hand it over  
to Geoffrey de  
St. Botulf.

[1291; 1293.]

64. Salutem. Comuni vtilitati vestre et loci vestri necnon et religionis decentiori obseruacioni,<sup>2</sup> prout tenemur, paterna affectione volentes prospicere, dilecto nobis in Christo, domino *Galfrido*, custodiam domus vestri cum totali cura duximus committendam; vobis in uirtute obediencie precipientes, quatinus eidem pro tempore tanquam nobis regulariter sitis intendentes, et secundum dei timorem et ordinis exigenciam filialiter obedientes. Valete.

*L. mem. 1*  
*dorse (19).*

The cell is  
ordered to  
obey  
Geoffrey de  
St. Botulf.

[? 1291; 1293.]

65. Salutem. Pro dilecto in Christo filio . . . cui celle nostre de N. curam commisimus, innate vestre bonitati preces porrigimus affectuosas, supplicantes, quatinus, eundem penes vos et ceteros quoscunque amicos de curia cum gracia et fauore amoris nostri intuitu recommendatum habentes, negocia sua, quandoque emergencia, si placet, promouere dignemini. Valete.

*L. mem. 1*  
*dorse (20).*

Favour  
requested at  
court for the  
prior of ? St.  
Leonard's.

66. Item, forma appellacionis.<sup>3</sup>

Ego N.,<sup>4</sup> procurator religiosorum virorum prioris et conuentus *Dunelmensis*, dico et propono coram vobis, venerande pater et domine episcopo *Lincolniensis*, nomine iam dictorum dominorum meorum, quod, cum ipsis a sede apostolica<sup>5</sup> sit indultum, ut in cellis seu prioratibus, ad monas-

*M. mem. 1*  
*recto (24);*  
*S. fo. 20v (2).*

The proctor of the  
convent  
demands  
that the  
bishop of  
Lincoln  
institute the  
convent's  
presentee to  
St.  
Leonard's;

<sup>1</sup> Or sine dilacione.

<sup>2</sup> obseruacione, *MS.*

<sup>3</sup> *Om. tulle, S.*

<sup>4</sup> *Om., S.*

<sup>5</sup> apostolice, *S.*

mem. 2

failing  
which, he  
appeals.

terium suum spectantibus, priores ibidem seu custodes, cum vacauerint, preficere et pro voluntatis libito reuocare possint, / alicuius ordinarii seu diocesani assensu seu auctoritate minime requisito, ipsique et predecessores sui a tempore fundacionis celle vel prioratus Beati Leonardi extra Stanfordiam in possessione, vel quasi, huius libertatis extiterint, suplico ut fratrem N.,<sup>1</sup> commonachum et confratrem ipsorum, virum prouidum et circumspectum in temporalibus et spiritualibus, quem in priorem et custodem dicte celle nuper prefecerunt, curam ipsius domus seu custodiam gerere libere permittatis, nullam molestiam seu grauamen eidem inferendo; alioquin procuratorio nomine sedem apostolicam et ad tuicionem sedis Cantuariensis in scriptis appello, et instantanter apostolos peto.

Item, cum prefatus frater in custodem seu priorem dicte domus ab eisdem in forma qua custodes a tempore fundacionis ipsius domus vobis et sanctis patribus,<sup>2</sup> predecessoribus vestris, vobis sit presentatus, ipsumque contra iusticiam admittere recusatis, appello ut supra.

Item, quia eundem presentatum in forma debita contra iusticiam non admittitis, appello ut supra.

Item, quia eundem<sup>3</sup> presentatum in forma debita et consueta minus iuste denegatis, appello ut supra.

Item, quia ipsum in dicte domus custodem prefectum, que tantum in temporalibus consistit, contra eorum libertates iniuste non admittitis, appello ut supra.

Item, cum idem prefectus sit paratus vobis canonicam obedienciam facere et exhibere, et ad hoc incontinenti se offer[r]e paratum, vosque eidem liberam ipsius domus administracionem contra iusticiam denegatis, appello ut supra.

Item, ne vos, reuerende pater, contra ipsos vel aliquem ipsorum aliquatenus procedatis, pro ipsis et vnoquoque ipsorum et vniuersis et singulis personis, rebus, priuilegiis et libertatibus, ad ipsos spectantibus, in scriptis appello, et instantanter apostolos peto, sicut ab inicio per eosdem est appellatum.

<sup>1</sup> Om., S.<sup>2</sup> precibus, S.<sup>3</sup> ipsum, S.

67. Littere procuratorie, ad constituendum atornatum generalem in curia laycali. *M, mem. i rec'o (19).*

Omnibus &c. Noueritis nos de vnanimi assensu capituli nostri dilectum fratrem nostrum et commonachum, dominum I. de N., constituisse generalem atornatum nostrum in omnibus loquelis, motis vel mouendis, pro nobis vel contra nos, in commitatibus Linc' ad lucrandum vel perdendum terras vel tenementa, nos quocunque iure contingencia, et ad omnia alia facienda, que legitimus et generalis atornatus in omni placito, asysa et hundredo, tam in curia domini regis quam extra, et in omnibus aliis locis coram domini regis iusticiariis, in banco vel itinerantibus, facere potest vel debet. Ratum et gratum habituri<sup>1</sup> quicquid ipse in iudicio pro nobis, mediante iusticia, vel finali concordia duxerit faciendum. In cuius rei &c. Teste capitulo nostro. Dat' &c.

The convent appoints a monk as general attorney in the lay courts of Lincolnshire.

## vii. MONKS AT OXFORD.

[1286-9.]

68. Inmense religionis viro et domino reuerendo, domino Hugoni, priori Dunelmensi, suus Wilhelmus de Monteforti, decanus ecclesie Sancti Pauli Lond',<sup>a</sup> salutem, et se semper cum omni reuerencia promptum et paratum ad sue beneplacita voluntatis. Excellencie vestre litteras eo quo decuit honore nuper recepimus, continentes quod cum super controuersia dudum mota inter dominum archiepiscopum Eboracensem, ex parte vna, et vos, ex altera, sit et fuerit pacis vinculum innodatum, ac sentencias et processus, per predecessorem nostrum contra vos latas, et alia, per ipsum acta et contra vos attemptata, in forma iuris reuocaremus, quia tamen de ipsius cause processu et perpetuacione iurisdictionis nostre, aut aliqua causa legitima huiusmodi sentencias reuocanda, aut parcium sufficienti mandato ad consencendum ut huiusmodi fierent reuocaciones nobis nullatenus per magistrum Thomam de Normanton<sup>b</sup> fieri poterat plena fides, absque nostri dedecore adimplere nequiuimus quod mandastis; super quo vestra reuerenda benignitas ad presens nos excusatos habere dignum ducat, scientes nos, quam cito nobis plene constiterit, de premissis in hiis et aliis, que vestre cederint beniplacito voluntatis, cum debita congratulacione paratos obsequi iuxta posse.

*L, mem. i rec'o (26).*

William de Montfort, dean of St. Paul's, regretfully informs Prior Hugh that he cannot revoke the sentences promulgated by his predecessor against the convent in the course of the Durham-York struggle.

<sup>1</sup> habituros, *MS.*

He gives  
welcome  
news of  
Durham  
monks at  
Oxford.

Sane monachi vestri, in studiis Oxon' degentes, bene et honeste conuersantur, bonis moribus informantur, atque scolasticis disciplinis assistunt assidue, prout per non leuem noticiam set per experienciam in scolis contractam reperimus, et eciam a multis didiscimus fidedignis. Valete.

*L, mem. 1  
recto (23).*

A monk,  
recently  
arrived at  
the univer-  
sity, ingeni-  
ously seeks  
the prior's  
aid in the  
purchase of  
a fine copy of  
the  
Decretals.

69. Salutem. Quousque, pater et domine, fiducia, quam in vestra paternitate reposui, me excitat, vt omnes omnino infirmitates meas et defectus coram vobis, prout a vobis michi recedenti iniu[n]xistis, explicare non formidem. Quamquam ante omnia pro acceptis beneficiis, que pre sui multitudine enumerare non sufficio, amplissimas gracias vestre sanctitati refundere obligatum me conspiciam. Sciat igitur vestra dominacio, quod statim in aduentu nostro assignatus fuit michi quidam liber decretalis, in quo nichil reperi preter textum nudum, corruptum, immo falsissimum, circa cuius emendacionem tantam apposui diligenciam et laborem, quod fere omnes corporis mei vires eneruantur; set incassum, nam, cum totum me fecisse existimarem, superuacuis me laboribus operam dare veraciter agnoui. Cogitanti igitur michi quonam modo caucius tanti dampni discrimen meis de ceruicibus excuterem, oblate sunt michi quedam decretales, bene apparitate, decentes satis et vtilis, ac omnes addiciones plenissime continentes, quas, data parte precii, de vestra potissima liberalitate confisus, letanter subarraui. Quocirca vestram paternitatem, quam dulcem erga me semper expertus sum et benignam, humilissimis precibus imploro, quatinus hanc meam indigenciam, si placet, sic ad presens releuare velitis, ut de humilis filii profectu, honorem ac de omnium retributore gaudia pro meritis mereamini reportare sempiterna. Valete.

### III. THE PRIOR'S ARCHIDIACONAL JURISDICTION IN HOWDENSHERE AND ALLERTONSHIRE.<sup>a</sup>

#### i. THE APPOINTMENT OF OFFICIALS.

[c. 1263-5.]

*S, fo. 23v (4) 70.* De constituendo officiali.

Prior Hugh  
appoints  
Mr. John de  
Brunton as  
his official.

Omnibus presentes litteras inspecturis, Hugo, prior Dunelmensis ecclesie, salutem in domino sempiternam. Noueritis nos constituisse dilectum nostrum clericum, mag-



istrum *Iohannem* de Bruntun,<sup>a</sup> officialem nostrum in omnibus ecclesiis nostris infra libertates Sancti Cuthberti in Houedenaschyr' [et] Aluertonaschyr'; dantes eidem plenariam potestatem omnia et singula faciendi, que per verum officialem possunt expediri. Ratum habituri quicquid officialis in dictis ecclesiis siue locis nomine nostro duxerit faciendum. In cuius rei testimonium presentes litteras nostras eidem fieri fecimus patentes. Dat' &c.

[? 1265.]

71. Littera executoria.<sup>1</sup>

Hugo, prior Dunelmensis, discretis uiris ecclesiarum rectoribus, prebendariis, vicariis, capellanis, ac aliis clericis infra libertates Beati Cuthberti in Houedenaschyr' et Aluertonaschyr', Eboracensis diocesis, constitutis, salutem in domino.<sup>a</sup> Quoniam execucioni<sup>2</sup> officii arch[id]iaconalis uariis prepediti negociis personaliter interesse non possumus, ideo dilecto fratri<sup>3</sup> domino Roberto de Insula, sacriste nostro,<sup>4</sup> b in omnibus iurisdictionem nostram in hac parte continentibus, quociens ipsum presentem esse contigerit, uices nostras committimus; dantes eidem plenam potestatem et liberam uos et clericos uestros uisitandi, a uobis et ipsis obediencie et reuerencie iuramentum recipiendi, de uestris et eorum nathalibus, moribus et ordinibus, etate et sciencia plenius inquirendi,<sup>5</sup> causas et iurgia singulorum audiendi ac canonice diffiniendi,<sup>6</sup> contradictores et rebelles quacunque pena legitima canonice puniendi. Ratum habituri quicquid idem frater noster in premissis uice nostra<sup>7</sup> duxerit faciendum. Ideoque uobis mandamus, in uirtute obediencie firmiter iniungentes, quatinus eidem tanquam nobis in hiis, que premissa sunt, sitis intendentes. In cuius rei &c. Dat' &c.

*S.* fo. 21v (3);  
*M.* mem. 4  
recto (17).

Commission  
of Prior  
Hugh for  
Robert of  
Holy Island  
sacrist of  
Durham.

[? 1265-73.]

72. Littera executoria.<sup>8</sup>

Hugo, prior Dunelmensis, ecclesiarum rectoribus, prebendariis, vicariis, capellanis, ac ceteris clericis infra libertates Sancti Cuthberti in Houedenaschyr' et Aluertonaschyr' constitutis, salutem in domino.<sup>9</sup> Quia execucioni officii

*S.* fo. 22 (1);  
*M.* mem. 4  
recto (18).

Commission  
of Prior  
Hugh for  
Mr. Lambert  
de Geruim'.

<sup>1</sup> *Om. title, M.*<sup>2</sup> *execucio, M.*<sup>3</sup> uel filio *interlined, MS. and M.*<sup>4</sup> domino R. de I., *M.*<sup>5</sup> requirendi, *M.*<sup>6</sup> diffiniendo, *MS.*<sup>7</sup> nomine nostro, *M.*<sup>8</sup> *Om. title, M.*<sup>9</sup> *H.*, prior &c., ut supra, *M.*

archidiaconalis, quo fungimur in hac parte, personaliter interesse non possumus, ideo dilecto clerico nostro,<sup>1</sup> magistro Lamberto de Geruim',<sup>2</sup> a vices nostras committimus; uobis tenore<sup>3</sup> presencium iniungentes, quatinus eidem clerico sicut et nobis intendentes sitis et obedientes. Ratum habituri quicquid per dilectum<sup>4</sup> clericum [nostrum] uice nostra factum fuerit in hac parte. In cuius rei testimonium eidem presentes [litteras nostras fieri fecimus patentes].<sup>5</sup> Dat' &c.<sup>6</sup>

[?ante 1265,]

*L., mem. 1  
dorse (25).*

A form for a  
commission.

73. Vniuersis sancte matris ecclesie filiis presentes litteras visuris uel audituris, .. prior *Dunelmensis*, salutem in omnium saluatore. Noueritis quod nos dilectum nobis in Christo, magistrum N., prefecimus in officialem nostrum in iurisdiccione et libertate in *Houedenaschyr'* et *Aluertona-schyr'*, sibi que officium officialitatis cum canonice cohercionis potestate committimus per presentes; omnibus et singulis rectoribus, vicariis, presbiteris, clericis et laicis, singulis et vniuersis de predicta iurisdiccione et libertate existentibus, tenore presencium iniungentes, quod eidem magistro N. tanquam officio nostro in omnibus secundum iuris exigenciam reuerenter obediant et intendant. Commissiones vero qualescunque generales seu speciales, cuiuscunque tenoris fuerint, a predecessoris nostris seu nobis quibuscunque personis seu persone factas, tenore presencium reuocamus. Premissa omnibus et singulis iurisdiccioni et libertatis prefate et aliis quorum interest specialiter significantes. Dat' &c.

## ii. THE ADMINISTRATION.

1267.

### 74. Littera presentationis.<sup>7</sup> a

*S., fo. 18v (3);  
M., mem. 3  
recto (13).*

The prior's official in Allertonshire reports to the archbishop's official on an inquisition made into the church of Kirkby Sigston on the occasion of the presentation of the prior Hervey de Derlington to the church.

Discreto uiro *Henrico de Corbrigg'*,<sup>8</sup> officiali uenerabilis patris *Walteri*, dei gracia archiepiscopi *Eboracensis*, Anglie primatis, *Gilbertus*, perpetuus uicarius,<sup>b</sup> gerens uices domini prioris in *Aluertona-schyre*, salutem in domino. Mandatum uestrum recepi in hec uerba:

*Henricus* de *Corbrigg'*, officialis *Eboracensis*, discreto uiro gerenti uices domini prioris *Dunelmensis* in *Aluertona-*

<sup>1</sup> *Om., M.*

<sup>2</sup> *L. de I., M.*

<sup>3</sup> *tenorem, MS.*

<sup>4</sup> *dictum over dilectum expunged, M.*

<sup>5</sup> *presentes &c., MS.*

<sup>6</sup> *Om., M.*

<sup>7</sup> *Om. uille, M.*

<sup>8</sup> *H. de C., M.*

schir', salutem in domino sempiternam.<sup>1</sup> Presentauerunt nobis uiri religiosi, dictus prior et conuentus,<sup>2</sup> Heruicum de Derlington',<sup>3</sup> clericum, ad ecclesiam de Kyrkeby Sigeston',<sup>4</sup> vacantem, et ad ius patronatus ipsorum spectantem, vt dicunt.<sup>5</sup> Quapropter discrecioni uestre presencium tenore mandamus, quatinus de statu dicte ecclesie et de condicionibus presentati ad ipsam secundum articulos consuetos et debitos inquiratis / diligencius ueritatem; *fo. 19.* nobis, quicquid super hiis per inquisitionem factam per uiros fidedignos inueneritis, per uestras litteras fideliter intimantes. Dat' xi. Kall' Iulii, anno domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> <sup>21 June 1267.</sup> septimo.<sup>6</sup>

Auctoritate igitur huius mandati facta diligenti inquisitione super premissis, inueni per inquisitionem quod ecclesia de Kirkeby Sigeston'<sup>4</sup> vacat, et vacauit a die Sancti Willelmi Ebor'<sup>7</sup> anni gracie M<sup>o</sup>CC<sup>mi</sup>LX<sup>i</sup> septimi<sup>8</sup> per mortem Regi- <sup>8 June 1267.</sup> naldi, quondam rectoris eiusdem; ius patronatus dicte ecclesie pertinet ad priorem et conuentum Dunelmenses; vltimo presentauerunt ad eandem, et fueru[n]t in possessione presentandi ad eandem a tempore a quo non extat memoria, et res non est litigiosa.<sup>9</sup> Valet xl.<sup>10</sup> marcas. Presentatus est legitimus, libere condicionis, sufficienter litteratus, conuersationis laudabilis, in ordine accolitus constitutus. In quorum omnium premissorum testimonium presentibus sigillum meum apposui. Act' in ecclesia de Aluerton' in crastino <sup>25 June 1267.</sup> Sancti Iohannis Baptiste, anno predicto.<sup>11</sup>

[ante 1267.]

# 75. De iuramento fidelitatis.<sup>12</sup>

Omnibus ad quos presens scriptum peruenerit, Regi- <sup>S, fo. 23v (7); M, mem. 4 recto (13).</sup> naldus de Frou,<sup>a</sup> clericus, rector ecclesie de Kirkeby Sigeston, salutem eternam in domino.<sup>13</sup> Noueritis me promisisse, et, <sup>Reginald de Frou, rector of Kirkby fo. 24.</sup> inspectis sacrosanctis, iurasse fidelitatem et obedienciam canonicam uiris reuerendis dominis meis, / priori et conuentui Dunelmensibus, et quod artem non queram uel ingenium vnde sint in aliquo<sup>14</sup> perdentes, et quod pensionem antiquam, <sup>Sigeston, makes an oath of fidelity to the convent.</sup>

<sup>1</sup> H. de C., salutem &c., M.

<sup>2</sup> Add Dun', M.

<sup>3</sup> H. de N., M.

<sup>4</sup> N., M.

<sup>5</sup> debent, MS.

<sup>6</sup> intimantes. Valet &c., M.

<sup>7</sup> die illa, M.

<sup>8</sup> gracie &c., M.

<sup>9</sup> pingiosa, MS.

<sup>10</sup> lx., M.

<sup>11</sup> apposui. Dat' &c., M.

<sup>12</sup> Om. title, M.

<sup>13</sup> Omnibus &c., M.

<sup>14</sup> alico, M.

eisdem de ecclesia de Sigestona<sup>1</sup> debitam, videlicet x. marcarum, annuatim sine difficultate et contradiccione persoluam. Cum autem prior per se uel officiales suos dictam ecclesiam visitauerint, prout consueuerunt<sup>2</sup> aliarum ecclesiarum iurisdiccioni sue rectores ipsum et predecessores suos procurare, eum procurabo,<sup>3</sup> uel ei de procuracione sua satisfaciam. In cuius &c. Dat' &c.<sup>4</sup>

*M, mem. 5  
dorse (4).*

A form for  
an oath of  
fidelity.

76. Nouerint uniuersi quod ego, magister N. de N., promitto fidelitatem, et iuro me seruaturum eandem meo perpetuo priori et conuentui *Dunelmensis* ecclesie, patronis meis, et quod libertates eiusdem ecclesie pro posse saluabo, nec veniam contra eas arte aliqua uel ingenio scienter in preiudicium predictae ecclesie, dispendium uel grauamen. In cuius rei testimonium hiis litteris sigillum meum ex certa sciencia duxi apponendum.

29 August [1265.]

*S, fo. 25 (7);  
M, mem. 4  
recto (5).*

77. Littere admissionis ad prebendam.<sup>5</sup>

The chapter  
of St.  
Peter's,  
York,  
orders Mr.  
John de  
Brumpton,  
the prior's  
official, to  
induct Sir  
Richard de  
Midelton  
into the  
prebend of  
Saltmarsh,  
the fifth in  
the church  
of Howden.

Capitulum Sancti Petri Ebor', discreto viro magistro Iohanni de Brumpton,<sup>6</sup> gerenti uices domini prioris *Dunelmensis*, salutem in domino. Ad presentationem religiosorum virorum prioris et conuentus *Dunelmensium* admisimus dominum *Ricardum* de Midelton<sup>7 a</sup> ad prebendam de Salso Marisco in ecclesia de Houedena, que dicitur quinta in ordinacione super hoc facta,<sup>8</sup> eandem prebendam commendantes eidem<sup>9</sup> commendacionis titulo possidendam; ideoque uobis mandamus, quatinus ipsum in corporalem eiusdem prebende<sup>10</sup> possessionem inducat. Dat' apud Eboracum, iiii. Kall' Septembris, anno &c.<sup>12</sup>

[ante 1267.]

*S, fo. 24 (1);  
M, mem. 4  
recto (14).*

78. Littera de satisfaccione procuracionis.<sup>13</sup>

Prior Hugh  
orders Mr.  
Gilbert,  
vicar of  
Northaller-  
ton, to relax  
the seques-  
tration of  
the church  
of Kirkby  
Sigston,  
because the  
rector, Sir  
Reginald de  
Frou, has  
paid his pro-  
curation lee.

*Hugo*, prior *Dunelmensis*,<sup>14</sup> dilecto sibi magistro *Gilberto*, vicario ecclesie de Aluerton,<sup>15</sup> salutem in domino. Quoniam

<sup>1</sup> de N., *M*.

<sup>2</sup> consueuerint, *MS*.

<sup>3</sup> curabo, *M*.

<sup>4</sup> *Om.*, *M*.

<sup>5</sup> admiss. in ecclesiam, *M*.

<sup>6</sup> I. de N., *M*.

<sup>7</sup> R. de M., *M*.

<sup>8</sup> prebendam talem uel ecclesiam uel vicariam, *M*.

<sup>9</sup> commend. eidem eand. preb., *M*

<sup>10</sup> *Add* uel ecclesie uel vicarie, *M*

<sup>11</sup> iudicatis, *MS*.

<sup>12</sup> Dat' &c., *M*.

<sup>13</sup> *Om. tulle*, *M*.

<sup>14</sup> prior &c., *M*.

<sup>15</sup> vicario de N., *M*.



dominus *Reginaldus*,<sup>1</sup> rector ecclesie de *Siggeston*,<sup>2</sup> nuper nobis de procuracione nostra humiliter satisfacere curauit, noueritis nos ad quorundam amicorum instantiam de retroactis plenam eidem concessisse indulgenciam. Quapropter mandamus vobis, quatinus eundem *Reginaldum* libera rerum ecclesie de *Siggeston*<sup>3</sup> administracione gaudere permittatis, et si quid<sup>4</sup> sequestrando bona ecclesie predictae receperitis, eidem plenarie restituatis. Dat' &c.<sup>5</sup> Valete.

[ante 1267.]

*M*, mem. 4  
recto (15).  
Acquittance  
of Prior  
Hugh for Sir  
Reginald de  
Frou, rector  
of Kirkby  
Sigston,  
from a pro-  
curation fee,  
and remit-  
tance of  
arrears.

79. Omnibus &c., *Hugo*, prior &c. Noueritis dominum *Reginaldum*, rectorem ecclesie de *N.*, anno gracie &c. tali die satisfecisse nobis de procuracione nostra, de predicta ecclesia ratione visitacionis nobis debita, et nos eidem remisisse omnia arreragia procuracionum temporis retroacti vsque ad diem predictum. In cuius &c. Dat' [&c.]. Valete.

[1280-90.]

*L*, mem. 1  
recto (14).

80. Discreto viro et amico speciali, magistro *Thome* de *Byrland*, *Hugo*, prior *Dunelmensis*, salutem. Mandamus vobis in fide, qua domui nostre et nobis specialiter tenemini, quatinus de c. et vii marcis, in quibus vos obligatos per scriptum vestrum pro certo comperimus, infra instans festum pentecostes sine ulteriori dilacione nobis benigne satisfaciatis, ne, quod absit, pro eiusdem pecunie solucione, non facta<sup>6</sup> ulteriori detencione aut prorogacione, ad acriorem districcione in hac parte faciendam inuiti manum extendamus. Valete.

Prior Hugh  
orders Mr.  
Thomas de  
Byrland to  
repay a loan.

[1280-90.]

*L*, mem. 1  
recto (25).

81. *Hugo*, prior *Dunelmensis*, dilecto sibi in Christo officiali, salutem. Quia magister *Benedictus*, rector ecclesie de *Welleton*,<sup>a</sup> nobis tenetur in x. libris sterlingorum ex causa mutui, vobis mandamus, quatinus ipsum rectorem moneatis et efficaciter inducat, quod nobis de dicta pecunie summa citra festum Sancti Iohannis Baptiste satisfaciat compenter. Alioquin ipsum extunc per sequestracionem bonor-

Prior Hugh  
orders his  
official to  
warn Mr.  
Benedict de  
Hertipol  
and Mr.  
Thomas de  
Byrland to  
repay debts  
under threat  
of sequestra-  
tion.

<sup>1</sup> *R.*, *M*.<sup>2</sup> de *N.*, *M*.<sup>3</sup> ecclesie sue de *N.*, *M*.<sup>4</sup> uel que *interlined*, *MS.* and *M*.<sup>5</sup> *Om.*, *M*.<sup>6</sup> *facte*, *M*.

um ecclesie sue predictae ad satisfaciendum compellatis, nisi a nobis aliud interim receperitis in mandatis. Et quia rector ecclesie de *Brantingham*<sup>b</sup> nobis tenetur &c., simili modo, monicionibus et induccionibus premissis, per sequestracionem fructuum ecclesie sue compellatis quod nobis &c.

[1285-90.]

*L, mem. 1  
recto (21).*

Prior Hugh rejects overtures from Archbishop John le Romeyn on behalf of Mr. Thomas de Birland, who owes the convent money.

82. Reuerendo patri in Christo, domino *Iohanni*, dei gracia archiepiscopo *Eboracensi*, Anglie primati, suus per omnia deuotus *Hugo*, prior *Dunelmensis*, salutem. Pro molesto, si placet, non habeatis, quod petitioni vestre pro speciali vestro, magistro *Thoma* de *Birland*, clerico vestro, nobis litteratorie nuper directe, parere non possumus, multis et variis causis exigentibus; presertim cum ipsam pecuniam, domui nostre iam per *iiij*<sup>or</sup> annos et amplius debitam, pro qua rogatis, eidem magistro de termino in terminum quam pluries respectuauimus, quorum nullum, prout in fide qua nobis tenetur promiserat, hucusque obseruare curauit, sicut nec terminum petitum ipsum credimus aliquo modo velle tenere. Soluimus siquidem ipsam pecuniam collectoribus decime pro eodem in supremo sue necessitatis articulo; nec pacauimus ipsam pecuniam sub tantorum terminorum prorogacione non sine ingratitudinis nota eam<sup>1</sup> a nobis velle detinere in magnum domus nostre dispendium et grauamen. Nec sub hoc, si vestre sedeat dignitati, mirari debetis, si memoratam pecuniam sub festinacione qua possumus releuare faciamus. Valete.

*L, mem. 1  
dorse (2).*

Prior R. orders his official to warn a rector to pay the pension due from his church under threat of sequestration.

[1273-85; 1290-1300.]

83. R., prior *Dunelmensis*, dilecto sibi in Christo &c., salutem in salutis autore. Mandamus vobis, quatinus visis presentibus moneatis et efficaciter inducatis magistrum H., rectorem &c., vt de decem marcis annue pensionis, nostre commune *Dunelmensi* de terminis Sancti Martini et Pentecostes vltimis preteritis debitis, nobis satisfaciat indilate. Quod si non fecerit, omnia bona dicte ecclesie nomine nostro sequestretis et sub sequestro nostro arctius custodiri faciatis, donec de dicta pensione annua dicte commune nostre *Dunelmensi* plenarie fuerit satisfactum. Valete. Dat'. [&c.]

<sup>1</sup> tam, *MS.*

[1262-5.]

84. Anno supradicto conquesti sunt domino<sup>1</sup> priori homines de Duffeld', parochiani ecclesie de Schypwyc, de magistro Emerico, rectore predictae ecclesie,<sup>a</sup> quod subtraxit eidem debitum et consuetum seruicium vnius cappellani, qui tribus diebus in ebdomada celebrare [debet] in capella de Duffeld', et miserunt querelam suam in litteris patentibus, vj. sigillis signatis. Admonitus est rector, ut, si est, correccionem super hoc adhibeat, quod si facere renuerit, commissa est causa illa in hac forma:

Littera commissionis.

Hugo, prior Dunelmensis, dilectis uiris magistris Rogero de Herteburn<sup>b</sup> [et] Iohanni de Brumpton', ecclesiarum de Hemmingburg' et Welleton' rectoribus, salutem in domino. Quia cognicioni causarum, que uertuntur, seu uerti sperantur, inter homines de Duffeld', ex vna parte, et magistrum Emericum de Rupe Cauardi, rectorem ecclesie de Schypwyc, ex altera, personaliter interesse non possumus, ideo vices nostras vobis sub alternacione committimus. Ratum habituri quicquid uterque uel alter vestrum uice nostra super premissis duxerit faciendum. In cuius rei &c. Dat' Dunelmi, die apostolorum Symonis et Iude.

S, fo. 25 (6).

The men of North Duffield complained to the prior that Mr. Emery de Rochecho-uart, rector of Skipwith, had failed to maintain the due service of a chaplain in their chapel. The rector is ordered to resume the service, failing which the case is to be heard by Mr. Roger de Herteburn, rector of Hemmingbrough, and Mr. John de Brumpton, rector of Welton.

28 Oct.

[1280-3.]

85. Serenissimo principi domino suo, domino astericus &c., Oliuerus, permissione diuina Lyncolniensis episcopus,<sup>a</sup> salutem in eo cui seruire perhen[n]iter est regnare. Excellencie vestre regie notum facimus per presentes, quod W., parochianus noster, per nos auctoritate ordinaria ob ipsius contumaciam et offensam maioris excommunicacionis sententia innodatus, in ea per xl. dies et amplius animo indurato pertinaciter indurauit, et adhuc contemptis ecclesiasticis clauibus perseuerat. Quocirca regie celsitudini supplicamus, quatinus ad insolenciam predicti rebellis salubrius reprimendam litteras vestras, si placet, uelitis concedere secundum preoptentam, meritoriam et piam consuetudinem regni vestri, ut quod minus valet mitis mater ecclesie in hac parte vestre magestatis potencia supleatur. Conseruet uos ecclesie et populo suo deus per tempora diuturna. Dat'. [&c.]

L, mem. 1 dorse (21).

Littera capti-  
onis of  
Oliver Sut-  
ton, bishop  
of Lincoln,  
used as  
model at  
Durham.

[? 1283-4.]

L, mem. 1  
dorse (23).Writ of  
Prior Rich-  
ard de Clax-  
ton, based on  
the above,  
signifying  
obdurate  
excommuni-  
cates in  
Howden-  
shire.

86. Serenissimo principi domino suo, domino *Edwardo*, dei gracia regi Anglie, illustri domino *Hybernie* &c., *Ricardus*, prior *Dunelmensis*, habens iurisdiccione[m] ordinariam et immediatam in subditos et parochianos omnium ecclesiarum de *Houedenaschyre* et *Aluertonaschyre* sibi subiectarum, salutem in eo &c. Excellencie vestre &c. quod N., N. et N., subditi nostri in parochia ecclesie de N. de *Houedeneschyre* nobis subiecte, per nos &c.

1283-4.

L, mem. 1  
dorse (24).King  
Edward  
issues a  
writ of  
Significavit  
to the  
sheriff of  
York.

87. *Edwardus*, dei gracia rex Anglie, dominus *Hybernie* et dux *Aquitanie*, vicecomiti *Eboracensi*, salutem. Significauit nobis dilectus nobis in Christo prior *Dunelmensis* per litteras suas patentes, quod T. de N., laicus, subditus suus, propter manifestam contumaciam suam excommunicatus est, nec se vlt per censuram ecclesiasticam iusticiari. Quod vero potestas regia sacrosancte ecclesie in querelis suis deesse non debet, tibi precipimus quod predictum T. per corpus suum secundum consuetudinem Anglie iusticies, donec sancte ecclesie tam de contemptu quam de iniuria ei illata ab eo fuerit satisfactum. Teste meipso apud N., xij. anno regni nostri &c.

[1279-85; 1290-2.]

L, mem. 2  
dorse (1).Prior  
Richard asks  
John Pec-  
ham, arch-  
bishop of  
Canterbury,  
to restrain  
the Dean of  
the Arches  
from pub-  
lishing the  
excommuni-  
cation of Mr.  
W. de M.,  
rector of a  
church in the  
diocese of  
York.

88. Venerabili patri in Christo, domino *Iohanni*, dei gracia *Cantuariensi* archiepiscopo, tocius Anglie primati, suus humilis et deuotus *Ricardus*, prior *Dunelmensis*, salutem cum omni reuerencia et honore debitis tanto patri. Ex dulciflua vestre sanctitatis clemencia, non precedencium instinctu meritorum specialiter excitati, vestre mansuetudini, se liberalem iuste pa(uperi)bus exhiben(ti), pro dilecto clerico nostro, magistro W. de M., rectore ecclesie &c., *Eboracensis* diocesis, cum summa deuocione duximus supplicandum, quatinus eidem magistro . . , quem decanus de arcubus Lond', vestri officialis commissarius generalis, nullam in ipsum habens iurisdiccione[m] de facto, ut accepimus, maioris excommunicationis sententia innodauit, iusticiam cum gracia dei et nostri intuitu exhibentes, prefato decano vestris, si placet, litteris dare dignemini in mandatis quod, huiusmodi sententia caucius reuocata, eam contra ipsum W. minime faciat pupplicari; licet enim ipsa sententia, utpote a non suo iudice



lata, secundum iura minime sit timenda, ipsius tamen publicacio, saltim quoad iuris ignaros et forme propalationis,<sup>1</sup> prefati W. oppinionem aliququaliter denigraret. Conseruet vos ecclesie sue summus artifex per tempora diuturna.

### iii. VISITATION.

[1258-65.]

#### 89. Littera visitacionis.<sup>2</sup>

*S*, fo. 22 (2);  
*M*, mem. 4,  
recto (10).

*Hugo*, prior *Dunelmensis*, vniuersis ecclesiarum rectoribus, vicariis uel eorum procuratoribus infra libertates Sancti Cuthberti per *Aluertonnachyr* et *Houedenschyr* constitutis, salutem in domino. Quoniam post instans natale domini causa uisitacionis ad uos uenire proponimus, significamus uobis quod annuente altissimo cito post festum Sancti Hillarii ad uos accedemus. Quapropter uobis mandamus, quatinus uos, secundum morem contra nostrum aduentum<sup>3</sup> preparantes, a celebracione capitulorum et a causis audiendis tam motis quam mouendis, usque aduentum nostrum visis presentibus omnino cessetis. Dat' apud *Pitindon* &c. Valete in domino.<sup>4</sup>

Prior Hugh announces a visitation of Allertonshire and Howdenshire after Christmas.

13 Jan.

[1258-73.]

90. *Hugo*, prior [&c.]. Quoniam fauente domino cito post instans festum pasce ad uos visitacionis causa venire proponimus, mandamus uobis in virtute obediencie, quatinus secundum morem consuetum et vsitatum contra aduentum nostrum preparetis, et a celebracione capitulorum et causis audiendis, tam motis quam mouendis, vsque aduentum nostrum visis presentibus omnino cessetis. Dat' &c. Valete.

*M*, mem. 4  
recto (11).

A similar form of Prior Hugh

### iv. THE DOMINICANS IN THE LIBERTIES.

30 Jan. 1261/2.

91. Memorandum quod anno gracie domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup>I<sup>o</sup>, iii. Kal' Februarii, accesserunt duo fratres predicatorum Dunelmum, deferentes litteras archiepiscopi *Eboracensis* et prioris, sub hac forma:<sup>5</sup>

*S*, fo. 18v.  
(1);  
*M*, mem. 5  
dorse (2).

De loco concedendo fratribus predicatoribus.<sup>6</sup>

Godfrey Ludham, archbishop of York, requests the convent to allow the Dominicans to have a house in Northallerton.

<sup>1</sup> formam ppli, *MS*.

<sup>2</sup> *Om. title, M*.

<sup>3</sup> aduentum nostrum, *M*.

<sup>4</sup> Dat' &c., *M*.

<sup>5</sup> *Omit the above, M*.

<sup>6</sup> *Om. title, M*.

[Godefridus], miseracione diuina Eboracensis archiepiscopus, Anglie primas, dilectis in Christo filiis, domino priori et conuentui Dunelmensibus, salutem, gratiam et benedictionem cum dilectione scincera.<sup>1</sup> Firmam de scinceritatis uestre beniuolencia fiduciam reportamus, quod illa gratanter annuitis et eis assensum beniuolum adhibetis, ex quibus honor<sup>2</sup> dei et animarum salus prouenire noscuntur. Vnde cum fratres de ordine predicatorum, qui inter ceteros uerbi dei relatores precipui et fideles cooperatores in messe domini reputantur, in parochia uestra apud Aluerton' habitacionis locum, disponente domino, habere desiderant,<sup>3</sup> uestre beniuolencie et concessionis gracia accedente, ut [inter] loci illius incolas ad laudem diuini nominis uerba uite seminare possint et deo animas lucrificare predicando, scinceritatem uestram attente requirimus<sup>3</sup> et rogamus, quatinus, considerationis oculo auertentes quod predicti fratres predicacionis officio uestrum et aliorum in ecclesia dei presidencium suplent et sufferunt [sic] imperfectum, tam pio ipsorum desiderio et proposito<sup>4</sup> grato concurrentes assensu, eis illius, cuius res agitur, intuitu et nostri rogaminis interuentu de uestre liber[ali]tatis gracia licenciam concedatis, vt locum in parochia uestra prefata ad inhabitandum et edificandum de uestra<sup>5</sup> beniuolencia absque contradiccione recipere ualeant et habere; dilecto in Christo filio, fratri Ade de Brannwell',<sup>6</sup> latori presencium, que[m] ob sue deuocioni[s] merita sinceritatis brachiis amplexamur, et quem in conspectu uestro gratiam consequi preoptamus,<sup>7</sup> super negocio ipso uestre<sup>8</sup> voluntatis beneplacita intimantes. Dat' &c.<sup>9</sup>

[? 1261/2.]

92. (Litter)e ad (...)ssione (fratru)m predicatorum.

S, fo. 24 (2);  
M, mem. 5  
dorse (3).

John de  
Derlington,  
Dominican  
friar, makes  
the same  
request.

Uiris religiosus, patribus reuerendis et amicis in Christo specialissimis, domino Hugoni, dei gracia priori Dunelmensi, et eiusdem loci conuentui, frater Iohannes de Derlington,<sup>a</sup> suus fratrum predicatorum London' indignus, salutem in domino sempiternam,<sup>10</sup> et siquid valet apud homines pauperis

<sup>1</sup> Salutem, M.

<sup>2</sup> amor, M.

<sup>3</sup> requirimus attente, M.

<sup>4</sup> pio ipso propos. et desid., M.

<sup>5</sup> uera, M.

<sup>6</sup> dilecto N., M.

<sup>7</sup> preoptauimus, MS.; altered, M.

<sup>8</sup> iure, MS.

<sup>9</sup> Om. Dat' &c., M.

<sup>10</sup> Om. the above; Salutem, et quicquid valet, M.

obsequium, aut oratio peccatoris apud deum. Votiuia religiosorum desideria cordium in hiis feruentius versari copiosiusque delectari dinoscuntur,<sup>1</sup> que ad summi regis honorem, proximorum salutem ac proprii<sup>2</sup> cumulum meriti pertinere non hesitant. Verum hiis de causis temporalia deseruntur, corpora<sup>3</sup> diuersis afflictionibus exponuntur, voluntates proprie arbitrii alieni obediencia interim captiue rediguntur, vt sic magis expediti, placidi et efficaces reddantur ad gloriam summi regis in castris eius die noctuque militare ob aliorum salutem, vt fiat<sup>4</sup> populus adquisicionis gemitibus deuotis incessanter orare in augmentum meritorum, ad repositam sibi iusticie coronam laboriosis erumpnis et suspiriis<sup>5</sup> iugiter anelare. Hinc est quod ad predicta uerbi dei predicacio eiusdemque predicacionis [augmentum seu] dilatacio precipue proficiat, religiosa uestre caritatis viscera suppliciter exoro, quatinus fratres nostros, viros<sup>6</sup> vt scitis ewangelicos ex ordinis institucione, admittere uelitis, fideles, deo concedente, operarios<sup>7</sup> in uinea domini Sabaoth apud Aluertonam futuros, vt ibidem cum uestra dignacione et fauore locum sibi inhabitandum perquirant, in patria predicando discurrant, et fructum afferant in respeccionem animarum sanctarum. Quis enim dubitat animas, laqueis peccatorum irritatas,<sup>8</sup> uerbi dei uirtute lib[er]ari, ac dei familie<sup>9</sup> connumerari, ex multiplicata familia diuinum honorem crescere ac dilatari? In multitudine enim populi dignitas regis, et in paucitate plebis ignominia principis, meritumque presens et premium futurum vtrumque promouentibus de promociione utriusque gaudentibus vberius accrescere et acumulari?

*Quippe*, si secundum Beatum Gregorium, *nullum ita*<sup>10</sup> *deo acceptum sacrificium vt zelus animarum*, profecto nec aliunde maius potest adesse meritum quod uoluit omnipotens et misericors<sup>11</sup> deus adeo mortalibus ostendere, vt hac de causa ad nostram miseriam humiliari et humiliatus morte crucis condemnari dignaretur. Hec igitur mea<sup>12</sup> peticio tanto cicius omnibus uestris inualescat, quanto deo dignior, proximis salubrior et uobismet ipsis<sup>12</sup> conprobatur vtilior. Valeat &c.<sup>12</sup>

S. Greg.  
Mag., In  
sept. psalm.  
poenit. expo-  
sitio, psal.  
IV, cap. 17;  
cf. idem,  
Homil. in  
Ezechiel.,  
lib. I,  
cap. 30.

<sup>1</sup> dinoscitur, MS.

<sup>2</sup> proprium, M.

<sup>3</sup> corā, MS.

<sup>4</sup> fiant, MS.

<sup>5</sup> suspiriis et erump., M.

<sup>6</sup> viris, MS.

<sup>7</sup> operariis, MS., M.

<sup>8</sup> irritatas, MS.

<sup>9</sup> ? familia, M.

<sup>10</sup> Add a, M.

<sup>11</sup> Om. et misericors, M.

<sup>12</sup> Om., M.

## V. LICENCE TO BEG WITHIN THE LIBERTIES.

[1265-73.]

*M, mem. 5  
recto (5).*Permission  
of Prior  
Hugh for  
the proctors  
of a hospital  
to beg  
within the  
liberties.

93. *Hugo*, prior *Dunelmensis*, vniuersarum ecclesiarum rectoribus, prebendariis, vicariis, capellanis parochialibus, vel eorum procuratoribus, infra libertates Sancti Cuthberti per Houedenschir' et Aluertonaschir' constitutis, salutem in domino. Cum nuncii fratrum hospitalis de N. veneri[n]t ad uos pro colligendis fidelium elemosinis, vos ipsos, inspectis priuilegiis et indulgenciis concessis eisdem ad id exsequendum secundum quod conuenit, absque difficultate qualibet fauorabiliter admittatis et benigne.

Vel sic: vos ipsos, inspectis priuilegiis et indulgenciis concessis eisdem ad id exsequendum, benigne et fauorabiliter admittatis, et eorum negocium, secundum quod conuenit, subditis vestris diligenter exponere et efficaciter promouere curetis. Dat'. Presentibus post annum minime valituris. Valete.

[1265-73.]

*M, mem. 5  
recto (6).*A similar  
permission  
of Prior  
Hugh for  
the proctors  
of the  
master and  
brethren of  
the hospital  
of St.  
Anthony.

94. *Hugo*, prior &c., ut supra vsque 'constitutis,' et ad ius patronatus prioris et conuentus *Dunelmensium* spectantibus, salutem in domino. Mandamus uobis, quatinus, cum nuncius et procurator magistri et fratrum hospitalis Beati Antonii de N. ad uos et ecclesias vestras pro beneficiis ad dicti hospitalis releuacionem ab inopia se premente et ad operam pietatis et elemosine sustentacionem impetrandis accesserit, diuine caritatis intuitu negocium eorundem diebus sole[m]p- nibus in ecclesiis et capellis vestris ita efficaciter parochianis vestris exponere curetis, vt ob elemosine vestre largicionem et indulgenciarum, in priuilegiis earundem contentarum, participacionem a summo iudice peccatorum vestrorum remissionem mereamini. Valete. Valeant autem ille littere per annum. Dat' &c.

## 95. Littere dimissorie.

*M, mem. 5  
recto (14).*Permission  
to collect  
alms for the  
rebuilding of  
an Austin  
priory.

Mandamus vobis et exhortamus in domino, quatinus, cum aliquis canonicorum de N. ad vos venerit, fidelium elemosinas sine predicacione intuitu caritatis petiturus<sup>1</sup> ad fabricam ecclesie Beate et gloriose virginis Marie de N., que ibidem de nouo erigitur, benigne recipiatis, et parochianos

<sup>1</sup> petituri, *MS.*



vestros efficaciter inducat, ut de bonis, sibi a deo collatis, dicte fabrice conferant et transmittant, quatinus pro hiis et aliis bonis, que egerint, ab omnium bonorum retributore mercedem consequantur eternam. Valete.

# vi. STRIFE WITH THE ARCHBISHOP OF YORK.

## 96. Littera appellacionis.<sup>1 a</sup>

*S*, fo. 20 (3)  
*M*, mem. 2  
recto (1).

Cum cognicio causarum spiritualium, ecclesiarum uisitacio de Houedenaschyr' et Aluertonaschyr' et aliarum ecclesiarum infra libertates Sancti Cuthberti in Eboracensi diocesi existencium, correccio eciam excessuum clericorum et laicorum infra dictas libertates ac alia, que ad ecclesiasticum forum spectare dinoscuntur,<sup>2</sup> de antiqua, approbata et hactenus pacifice obseruata consuetudine ad priorem et conuentum Dunelmenses pertinere noscantur, a uobis, domine archiepiscopo Eboracensis, ne uos predictas ecclesias seu aliquam earum contra libertates dictorum prioris et conuentus ac consuetudines usitatas in hac parte per uos uel quemcunque<sup>3</sup> alium visitetis, seu aliquod durum statuatis in hiis uel circa ea, suspendendo, excommunicando, interdicendo in predictorum dominorum, prioris et conuentus, et ecclesie Dunelmensis preiudicium, et libertatum ipsius ecclesie lesionem et iuris mutilac[i]onem, ego, Adam de Derlington',<sup>4</sup> clericus, procurator dictorum religiosorum<sup>5</sup> ad hoc datus, sedem apostolicam in scriptis appello, ius huius[modi], libertates sepedictorum religiosorum<sup>6</sup> / dominorum meorum et ecclesie Dunelmensis, et omnia alia ipsam ecclesiam contingencia protectioni sedis apostolice supponendo; et in forma iuris apostolos peto.

Appeal by Adam de Derlington, the convent's proctor, against the archbishop of York, lest he infringe the convent's rights in the liberties of Allertonshire and Howden-shire, especially by visiting the liberties.

fo. 20v.

## 97. Littera appellacionis.<sup>1</sup>

*S*, fo. 20v (1);  
*M*, mem. 2  
recto (2).

Cum cognicio causarum spiritualium, [ecclesiarum] visitacio, excessuum presbiterorum, clericorum parochianorum et hominum de Houeden', Hemmingburg', Brantingham<sup>7</sup> ac quarundum<sup>8</sup> aliarum ecclesiarum et uillarum Eboracensis diocesis correctio, ac alia, que ad ecclesiasticum forum

A similar appeal against the archbishop's official, especially lest he hear cases to the prejudice of the prior's court.

<sup>1</sup> Item, forma appellacionis, *M*.

<sup>2</sup> dinoscitur, *MS*.

<sup>3</sup> parte vel per quem., *M*.

<sup>4</sup> A. de N., *M*.

<sup>5</sup> Add et, *MS*.

<sup>6</sup> Om., *M*.

<sup>7</sup> Brentingham, *M*.

<sup>8</sup> quarundem, *M*.

spectant, de antiqua, approbata et actenus pacifice obseruata consuetudine ad priorem et conuentum *Dunelmenses* in dictis ecclesiis et uillis pertinere noscantur, ego, Adam de *Derlington*,<sup>1</sup> clericus, procurator dictorum religiosorum ad hoc datus, sedem apostolicam in scriptis appello, ne vos, domine officialis *Eboracensis*, in predictorum dominorum meorum et ecclesie *Dunelmensis* preiudicium, et libertatum ipsius ecclesie lesionem et iuris mutilacionem, me, presbiteros, clericos, homines parochianos memoratarum<sup>2</sup> ecclesiarum et uillarum, eisdem ecclesiis iure communi<sup>3</sup> seu parochiali spectancium, per simplicem querelam ad litigandum coram uobis euocare,<sup>a</sup> iurisdiccione[m] huius[modi], uel alia prefatis religiosis<sup>4</sup> ex consuetudine hactenus obtenta et prescripta uel alio modo debita vsurpare uel qualitercunque occupare, ipsos uel ecclesiam suam predictis uel aliquo predictorum spoliare, uel eorum possessionem, uel quasi, aliqu[ua]libet perturbare presumatis, in me et in<sup>5</sup> aliquos in hac parte ipsorum subditos, uel in loca iam dicta uoluntarie animaduertatis, sentenciam suspencionis, excommunicacionis, interdicti, uel aliam feratis, aliquod graue statuatis, seu ius ipsius ecclesie quoquomodo ledere seu minuere presumatis, ius<sup>6</sup> huius[modi], libertates sepedictorum dominorum meorum et ecclesie *Dunelmensis*, et alia omnia ipsam ecclesiam contingencia.<sup>7</sup> me et mea protectioni sedis apostolice supponendo; et in forma iuris apostolos peto; [et appellationes nomine dominorum meorum subscriptorum a uobis alias ex causis huiusmodi interpositas inuoco, ratifico et accepto.]

14 Nov. 1273.

S, fo. 35v (r) 98. Reuocacio sequestracionis facte per [archi]episcopum *Eboracensem* infra iurisdictionem de Hou[ed]enshir'.<sup>a</sup>

Walter Giffard, archbishop of York, revokes the wrongful sequestration made by his official, Mr. Wm. de Hextilibyr, of the goods which the late Sir Richard de Midelton had in the church of Hemmingbrough.

Vniuersis Christi fidelibus ad quorum noticiam presentes littere peruenerint, Walterus, miseracione diuina *Eboracensis* archiepiscopus, Anglie primas, salutem in domino. Nouerit uniuersitas uestra, quod, cum magister Willelmus de Hextilibyr', officialis noster, bona domini Ricardi de Midelton, defuncti, que habuit in ecclesia de Hemmingburg', ob certas causas auctoritate nostra sequestrasset, et de aliqua parte

<sup>a</sup> A. de N., M.

<sup>2</sup> memoratorum, M.

<sup>3</sup> iurisdiccioni, M.

<sup>4</sup> religionis, MS.

<sup>5</sup> Om., M.

<sup>6</sup> in, MS.

<sup>7</sup> contingenciam, MS.

eiusdem sequestri pecuniam ad opus nostrum redegisset, ex tenore quorundam scriptorum autenticorum prioris et conuentus *Dunelmensis*, que nobis monstrarunt, et diu obtenta consuetudine perpendimus dictum sequestrum simul et aliarum ecclesiarum sui patronatus in Houedenschyr' et Aluertonschyr' ad prefatos priorem et conuentum de iure pertinere. Nolentes igitur eorum iurisdiccioni in aliquo derogare, quod auctoritate nostra circa dictam sequestrationem factum fuerit, reuocamus, et pecuniam de dicto sequestro ad opus nostrum redactam, predictis priori et conuentui vt ius suum restituimus; sentencias, si que late fuerant, et omnia alia occasione dicti sequestri seu violacionis eiusdem secuta non tenere decernentes, et ea penitus in irritum reuocantes. In cuius rei testimonium has litteras nostras eis fieri fecimus patentes. Dat' apud Wylton, xvij. Kal' Decembris, anno domini M<sup>o</sup>CC<sup>o</sup>LXX<sup>o</sup> tercio. 14 Nov. 1273.

#### IV. PATRONAGE OF CHURCHES.

##### i. MEMORIAL ON THE IMPROPRIATION OF THE CONVENT'S CHURCHES.

99. Iste ecclesie subscripte collate sunt monasterio *Dunelmensi* in proprios usus ex dono Willelmi episcopi *Dunelmensis*, ut patet per primam cartam eiusdem, que sic incipit: 'Venerabilibus patribus' &c.<sup>a</sup>—ecclesia de Norham', ecclesia de Weremuth, ecclesia de Eluet, ecclesia de Dalton', ecclesia de Heselden', ecclesia de Acle, ecclesia de Billingham, ecclesia de Aluerton'. S, fo. 26v.  
Norham,  
Wearmouth,  
Elvet,  
Dalton-le-  
Dale, Monk  
Hesleden,  
Aycliffe,  
Billingham,  
Northaller-  
ton.

Item in alia carta eiusdem, que sic incipit: 'In nomine patris &c. Quia rerum status,'<sup>b</sup> continentur ecclesie subscripte—ecclesia de Norham, ecclesia de Insula, ecclesia de Iarue, ecclesia de Wermuth, ecclesia de Dalton', ecclesia de Eluet, ecclesia de Acle; vbi sic inseritur: 'ad nutrimentum eorum istas ecclesias dono, scilicet ecclesiam de Norham,' cum ceteris, ut suprascibuntur; et infra: 'domini Lanfrancus et Thomas archiepiscopi et ego omnes istas ecclesias seu quascunque alias . . . nisi per consensum ipsorum et monachorum licenciam.'<sup>1</sup> Norham,  
Holy Is.,  
Jarrow,  
Wearmouth,  
Dalton-le-  
Dale,  
Elvet,  
Aycliffe.

Item in carta eiusdem, scilicet 'Ego Willelmus' &c.,<sup>c</sup> sic inseritur: 'ecclesias quascunque [me] in subsequentibus

<sup>1</sup> As in F.P.D., p. xlviii, omitting vero in line 19.

donante uel acquirente, seu ceteris fidelibus largientibus adquisierint . . . attendentes existant.<sup>1</sup>

Finehale.  
[1099-1128].

Ex dono Ranulfi episcopi heremitorium de Finchal' cum agris piscariis et ceteris adiacentibus, vt patet per cartam ipsius.<sup>d</sup>

[1188-95].

Hugo episcopus confirmat.<sup>e</sup>

Elvet.  
[1175-95].

Item Hugo confirmat nobis ecclesiam de Eluet in hec uerba:<sup>f</sup> 'Sciat uniuersitas uestra quod nos paci filiorum nostrorum et quieti monachorum *Dunelmensium* &c. paterna sollicitudine prouidere uolentes in posterum, ecclesiam cum capellis et omnibus rebus ad eam pertinentibus eis episcopali auctoritate et presentis scripti munimine confirmamus; statuantes ut post decessum magistri Ricardi de Coldingham,<sup>g</sup> cui prefatam ecclesiam / sub annua pensione, quam disposuerunt, tenendam et habendam in uita sua contulerunt, eam omnino liberam in manu sua sine alterius persone presentatione uel institutione retineant, eorum usibus et hospitum omnimodis inperpetuum profuturam.'

fo. 27.

Ellingham.

(E)llingham.<sup>2</sup>

[1163-86].

Item quod confirmat et ratificat donacionem Radulfi de Gaugy<sup>h</sup> super ecclesia de Ellingham cum pertinenciis per hec uerba:<sup>i</sup> 'Vt prior *Dunelmensis* et conuentus eiusdem personatum . . . utilitatem ecclesie *Dunelmensis*.<sup>3</sup>

Northallerton.  
[1153-c. 60].

Aluerton'.<sup>2</sup>

Item quod in carta que sic incipit: 'Cum singularum ecclesiarum,<sup>k</sup> dat et confirmat nobis personatum omnium ecclesiarum nostrarum et specialiter ecclesie de Aluerton' per huiusmodi uerba: 'Caritatis instinctu commoniti . . . uocabulis, scilicet ecclesiam de Aluerton',<sup>4</sup> cum ceteris.

[1188-95].

Item idem in alia carta confirmat personatum omnium ecclesiarum nostrarum per huiusmodi uerba:<sup>1</sup> 'Sciatis nos concessisse et presenti carta confirmasse deo et Beato Cuthberto et *Bertramo* priori et conuentui *Dunelmensis* ecclesie inperpetuum liberam dispositionem et institutionem et personatum omnium ecclesiarum suarum et capellarum, ad eas pertinencium, et volumus ut, uacantibus ecclesiis suis, in proprios usus et in propria manu sua eas retineant inperpet-

<sup>1</sup> As ib., p. xxxix, omitting with B, cum ecclesia de Tinemuthe . . . eis dederat.

<sup>2</sup> Contemporary marginal note.

<sup>3</sup> As in Hist. of Northumberland, ii, 268, n.

<sup>4</sup> As in Hutchinson, ii, 72, n.; variation: que pertinent ad episc., MS.



uum, et capellanos pro uoluntate sua in eis constituent, qui ecclesiis et capellis honeste deseruiant et episcopalia persoluant. Concedimus etiam ut in ipsis ecclesiis suis quieti et liberi sint in perpetuum ab omnibus consuetudinibus, auxiliis et hospiciis et exactionibus omnium successorum nostrorum episcoporum et archidiaconorum et omnium officialium.'

Eluet.<sup>1</sup>

Elvet.

Item Philippus episcopus *Dunelmensis* episcopali auctoritate nobis ecclesiam de Eluet confirmat per cartam suam sic:<sup>m</sup> 'Ecclesiam de Eluet, quam Hugo bone memorie predecessor noster eis concessit, et carta sua confirmauit cum capellis et omnibus rebus ad eam pertinentibus, eis episcopali auctoritate et presentis scripti munimine confirmamus; statuantes ut predictam ecclesiam omnino liberam et quietam in manu sua sine alicuius persone presentatione uel institutione retineant, eorum usibus et hospitum omnimodis in perpetuum profuturam.'

[? 1198].

Billingham.<sup>1</sup>

Billingham.

Item idem confirmat nobis ecclesiam de Billingham' per hec uerba:<sup>n</sup> 'Sciatis nos intuitu caritatis . . . ad domus sue sustentacionem.'<sup>2</sup>

[1195-1208].

Brankeston.<sup>1</sup>

Branxton.

Radulfus filius Gilberti de Brankeston dedit nobis ecclesiam de Brankeston ad infirmariam nostram *Dunelmensem*, vt patet per cartam suam.<sup>o</sup>

Philippus episcopus confirmat nobis eandem in hec uerba: [1195-1208]. 'Sciatis nos concessisse et presenti carta confirmasse deo et Sancto Cuthberto de *Dunelmo*, et monachis ibidem seruitibus et in perpetuum seruituris, ecclesiam de Brankeston cum omnibus ad eam pertinentibus, sicut Radulfus filius Gilberti eandem ecclesiam predictis monachis de *Dunelmo* dedit ad domum infirmariam eorum in liberam, puram et perpetuam elemosinam. Quare uolumus et precipimus quod predicti monachi / et predicta domus infirmaria eorum predictam ecclesiam cum suis pertinenciis habeant et teneant, et in perpetuam elemosinam possideant.'

fo. 27v.

Memorandum quod Walterus episcopus *Dunelmensis* ordinauit eandem ecclesiam ad sustentacionem duorum monachorum apud Werkewrth, vt patet per cartam suam infra.<sup>p</sup>

Warkworth.  
[1251].

<sup>1</sup> *Contemporary marginal note.*

<sup>1</sup> *As in Surtees, iii, 392; varia-*

*tions: carta confirm., MS.; pertinent. in prop., MS.*

Dalton-le-  
Dale.  
[1218].

Dalton.<sup>1</sup>

Item Ricardus *Dunelmensis* episcopus confirmat nobis ecclesiam de Dalton' in hec uerba:<sup>q</sup> 'Nouerit uniuersitas uestra nos intuitu dei . . . camere eorundem assignauimus.'<sup>2</sup>

Acle, Pitingdon'.<sup>1</sup>

Aycliffe,  
Pittington.

[1217-8].

Item idem confirmat nobis ecclesias de Acle et de Pitingdon' per hec uerba:<sup>r</sup> 'Nouerit uniuersitas uestra nos concessisse et presenti carta confirmasse dilectis filiis nostris priori et monachis *Dunelmensibus* ecclesiam de Acle et ecclesiam de Pitingdon' cum capellis et omnibus aliis pertinenciis in proprios usus habendas et inperpetuum tenendas et possidendas ad sustentacionem domus sue et ad refectionem hospitum et peregrinorum.'

[1216].

Walterus archiepiscopus *Eboracensis* confirmat.<sup>s</sup>

[1218].

Item idem in carta de libertatibus sic dicit:<sup>t</sup> 'Omnes uero terras suas et ecclesias . . . monachorum et licenciam.'<sup>3</sup>

Bedlington.  
post [1249].

Bedelington'.<sup>1</sup>

Item Walterus episcopus dat nobis ecclesiam de Bedelington' per huiusmodi uerba:<sup>u</sup> 'Nouerit &c. nos dedisse, et hac presenti carta nostra confirmasse ad honorem dei et sue beatissime genetricis Marie et Beati Cuthberti, incorrupti confessoris Christi, dilectis in Christo filiis priori et conuentui *Dunelmensi* ecclesiam de Bedelington' cum omnibus pertinentiis suis, cuius aduocacio ad dictos priorem et conuentum spectare dinoscitur, ipsamque ad fabricam dicte ecclesie assignasse inperpetuum.'

[1253].

Walterus archiepiscopus *Eboracensis* confirmat.<sup>v</sup>

Heighing-  
ton.

[ante 1253].

Heyninton'.<sup>1</sup>

Item idem dat nobis ecclesiam de Heyncton per uerba in priori carta contenta, excepto quod assignat eam domui *Dunelmensi* ad sustentacionem hospitalitatis et refeccionem pauperum in usus proprios inperpetuum.<sup>w</sup>

Branxton.  
[1251].

Brankeston'.<sup>1</sup>

Item idem per eadem uerba dat et assignat ecclesiam de Brankeston ad sustentacionem duorum monachorum apud Werkewrt.<sup>x</sup>

<sup>1</sup> *Contemporary marginal note.*

<sup>2</sup> *As in Surtees, i, 277; variations:*

*hac carta, MS.; dilectis priori, MS.*

<sup>3</sup> *As in F.P.D., p. lxxxvii.*

## ii. THE PRESENTEES.

[c. 1268-73.]

100. Permissio serui ut ordinetur.<sup>1</sup>

Uniuersis &c., Hugo, prior &c. Noueritis nos ad instanciam amici nostri specialis, domini Willelmi de Hemmingburg', canonici Lincolniensis,<sup>2</sup> concessisse licenciam Roberto, filio Willelmi, fabri de Hemmingburg',<sup>3</sup> quod non obstante seruili condicione, videlicet quod filius est predicti Willelmi, natiui nostri, libere possit ad omnes ordines promoueri. In cuius rei testimonium<sup>4</sup> &c. Dat' apud Scypwic<sup>5</sup> &c.

S, fo. 25v (2);  
M, mem. 4  
recto (1).  
Prior Hugh dispenses with the servile condition of Robert, son of Wm., the blacksmith of Hemmingbrough, at the request of Wm. de Hemmingbrough canon of Lincoln.

[1258-73; 1286-90.]

101. Reuerendo [et] discreto viro et amico suo precordialissimo, domino Hugoni, priori Dunelmensi, R., miseratione diuina Karliolensis episcopus, salutem cum scincere coram Christo federe karitatis. Ad ea, que vestre voluntatis sunt, ut merito, tenemur uehementer astricti; licet negocia magistri T. de N., pro quo ordinando in diacon[at]um in Sabbato, qua cantatur &c., euidenti causa prepediti, distulimus et inuiti, eadem in tali die &c., deo concedente, quatenus in nobis est, ad effectum ducemus optatum, vestris precibus inclinati.<sup>a</sup>

L, mem. 1  
recto (16).

R., bishop of Carlisle, informs Hugh, prior of Durham, that he is forced to postpone an ordination.

[? 1267.]

102. Littera ordinacionis.<sup>6 a</sup>

Omnibus &c., Robertus, dei gracia Dunelmensis episcopus, salutem in domino. Nouerit vniuersitas uestra nos Heruicum de Derli[n]gton,<sup>7</sup> clericum nostre diocesis, ad ordinem accolitus ordinasse, et licentiasse eundem quod a quolibet alio episcopo catholico ad superiores ordines promoueri, et in susceptis ordinibus valeat ministrare. In cuius rei &c. Dat' &c.

S, fo. 25 (8);  
M, mem. 4  
recto (2).

Letter dimissory of Robert, bishop of Durham, for Hervey de Derlington, ordained acolyte.

[1251-66.]

103. Littera ordinacionis.<sup>6</sup>

Uniuersis Christi fidelibus &c., Thomas, dei gracia Achadensis episcopus,<sup>a</sup> salutem in domino.<sup>8</sup> Nouerit vniuer-

S, fo. 25 (9);  
M, mem. 4  
recto (4);  
L, mem. 2  
recto (6).

<sup>1</sup> Om. tulle, M.<sup>2</sup> domini W. de N., M.<sup>3</sup> licenc. R. de N., M.<sup>4</sup> Om., M.<sup>5</sup> Dat' &c., M.<sup>6</sup> Om. tulle, M.<sup>7</sup> nos R. de N., M.<sup>8</sup> Om. tulle, L; Item testimonium conuersacionis bone, M.<sup>a</sup> Uniuersis &c., R. episcopus &c., M, L.

Letter  
dimissory of  
fo. 25v.  
Thomas,  
bishop of  
Achohry (or  
of Robert,  
bishop of  
Durham)  
for W. de  
Howden,  
ordained  
priest on the  
presentation  
of Sir John  
de Cogan.

sitas uestra nos diuine<sup>1</sup> pietatis intuitu et sue humanitatis obtentu W. de Houedena,<sup>2</sup> latorem presencium, literali sciencia fulcitum, / vita et bonis moribus ornatum, manuum nostrarum imposicione, [in]uocata spiritus sancti gracia, ad gradus subdiaconatus, diaconatus [et] presbiteratus, debitis intersticiis in<sup>3</sup> singulis ordinibus obseruatis, canonice promouisse, et hoc per presentacionem domini Iohannis de Cogan.<sup>4 b</sup> Quare uestram in domino rogamus vniuersitatem, quatinus, ubicunque terrarum idem W. ad uos peruenerit, ipsum ad officii sui execucionem sine impedimento admittatis, et humanitatem erga eundem in Christo debitam exerceatis, nostrum, si placet, testimonium de laudabili ipsius conuersacione, quantum ad humanum spectat examen, recipientes. Scientes quod in officiis predictorum ordinum per<sup>5</sup> spacium trium annorum et amplius in episcopatu nostro sobrie et caste in omnibus uiuendo fideliter seruiuit, et nichil sinistri de eo<sup>6</sup> audiuimus neque scimus; et, licencia ab omnibus tam prelatis suis quam sociis recepta in capitulo nostro generali, a nobis in bono amore<sup>7</sup> recessit, et, quandocunque voluerit, quasi vir probus et fidelis, ad nos ualebit redire. Ne autem calumpnia eidem W. de suis ordinibus seu bona conuersacione aliquatenus posset inferri, has litteras nostras, sigilli nostri inpressione signatas, tam in huius<sup>8</sup> promocionis quam conuersacionis testimonium, sibi fieri fecimus patentes. Valete &c. Dat' &c.<sup>9</sup>

M, mem. 6  
dorse (3).

A student at the schools of Bologna asks his correspondent to request the prior of Durham to protect his servants and goods during his three years' absence.

104. Salutem. Quia, vt intellexi, quam plures in partibus vestris post recessum meum procuratorem meum et alios seruientes meos iniuste grauauerunt, dominacionem uestram attentius duxi rogandam, quatinus amore quondam domini mei episcopi et aliorum amicorum, quorum animabus propicietur deus, partes uestras inponere velitis, quod dominus prior *Dunelmensis* procuratores meos et omnia bona mea de N. in suam recipiat proteccionem, vt sub umbra alarum suarum iniurancium tepescat proteruitas, et ego in maiori studii tranquillitate in scholis Bononie possim conuersari,<sup>a</sup> vbi, ut credo, stabo per triennium vita comite. Valete.

<sup>1</sup> Om., M, L.

<sup>2</sup> W. de N., M, L.

<sup>3</sup> et, MS.

<sup>4</sup> de N., M; ad promocionem domini N., L.

<sup>5</sup> et, MS.

<sup>6</sup> de eo sinistri, L.

<sup>7</sup> modo, MS.

<sup>8</sup> huiusmodi, L.

<sup>9</sup> patentes. Dat' &c., L; Valete. Dat' &c., M.



iii. COMMISSIONS FOR PRESENTING.<sup>a</sup>

1273.

105. Pateat vniuersis quod nos, Ricardus, prior Dunelmensis, plenam damus potestatem et speciale mandatum, ac vices nostras tenore presencium committimus dilectis nobis in Christo fratribus et commonachis nostris, Ricardo, suppriori, et Henrico, sacriste Dunelmensi, quod ipsi uel eorum alter possint uel possit vice nostra et sua de consensu nostri conuentus presentare ydoneas personas ad quecunque beneficia ecclesiastica, qualitercunque vacancia, ad nostrum et eorum patronatum spectancia, archiepiscopis et episcopis, uel eorum vices gerentibus, in quorum diocese huiusmodi beneficia vacare contigerit. Volumus eciam et expresse concedimus, quod huiusmodi beneficiorum presentationes, cum fieri debeant, communi sigillo nostri capituli consignentur. Ratum habituri et firmum quicquid dicti supprior et sacrista uel eorum alter de consensu et voluntate nostri conuentus in premissis duxerint seu duxerit faciendum. Dat' Dunelmi, anno domini M<sup>o</sup>CC<sup>o</sup>LXX<sup>o</sup> tercio.

*S*, fo. 26v (1).  
Prior Richard de Claxton delegates his powers of presenting to churches to Richard de Escrik, sub-prior, and Henry de Horne-castre, sacrist.

[post 1265.]

106. Commissio facta de prouisione ecclesie.

*M*, mem. 4 recto (6).

Omnibus &c. Ad vniuersitatis vestre noticiam volumus peruenire, quod, si contingat aliquam ecclesiam, prebendam se[u] vicariam, ad nostram presentationem spectantem, extra diocesim Dunelmensem, citra natale domini proximo sequens, vacare, ordinamus, facimus et constituimus dilectum fratrem et commonachum nostrum, dominum N., procuratorem nostrum ad prouidendum ecclesie, prebende seu vicarie vacanti de persona, loci diocesano vice nostra et sua presentanda; dantes eidem auctoritate presencium plenariam potestatem prouidendi et presentandi ad quodcunque beneficium, vacans infra tempus predictum, ut premissum est, personam, quam viderit expedire. Ratum habituri et firmum quicquid in hac parte nomine nostro et suo duxerit faciendum. In cuius &c. Dat' &c.

A monk is given a limited commission for presenting to churches.

## iv. THE INDIVIDUAL CHURCHES.

## a. ARCHDEACONRY OF DURHAM.

[ante 1278.]

107. Littera de expediendis negociis.<sup>a</sup>

*S*, fo. 20 (1)

Quoniam graue est ecclesiastica beneficia collata transmarinis a manibus ipsorum euellere, et sic admoni-

Bishop Middleham;

the prior's instructions to a proctor who is to travel to Bologna with letters of Mr. Roger de Herteburn (see next letter,) and negotiate with Sir Peter de Montecute, the rector of the church, about its resignation.

ciones huius[modi] beneficiorum infructuose et inefficaces remanent patronis, transferuntur etenim de persona in personam, de gradu in gradum, inconsultis personis interdum et inuitis, et sic, s[em]per abcedente ad uotum presentandi potestate, nudum nomen remanet patronatus, congruum esset in hac parte consilium adhibere oportunum. Inde est quod uos attente rogamus, quatinus, personaliter accedentes ad dominum Petrum de Montecuto, rectorem ecclesie de Middelham, Dunelmensis diocesis, que est de nostra aduocatione, qui, ut intelleximus, Bononie stat in studio, litteras dilecti clerici nostri, magistri Rogeri de Herteburn<sup>1</sup>, eidem presentetis, quarum uobis transcriptum transmittimus, ut super contentis in eisdem caucius cum eodem tractare possitis, unde negocium illud omnibus modis cum effectu expediat. Si uero contingat quod dictus dominus Petrus Angliam intrare, uel procuratorem specialem ad resignandum in forma sibi demandata mittere recuset, aliam formam congruam prouideatis, ut prefata ecclesia usibus nostris deputetur, uidelicet quod adeat uobiscum sumptibus nostris, uel mittat specialem procuratorem, si necesse fuerit, ad curiam Romanam, ut super ipsa ecclesia de Middelham ordinacioni alicuius cardinalis, amici vestri, committat et subiciat, et vos procuratorio nomine similiter. Placet nobis quod habeat de camera nostra annuatim l. marcas sterlingorum, uel minus si poteritis, cum ultra summam pretactam nomine firme non recipiat, uel modicum plus, si voracitas alterius ad hoc inpellat; et ad hoc faciendum mittimus uobis procuratorem. Igitur cum summa diligencia et uiribus totis huius[modi] negocium ad effectum perducatis<sup>1</sup> felicem in formis prescriptis uel alia competenti; sic laborantes, ut deperditum gaudeamus per sollertiam uestram fore recuperatum. Valete.

He is to be offered an annual pension of 50 marks.

[ante 1278.]

S, fo. 24 (3). 108. De resignacione ecclesie.<sup>a</sup>

Bishop Middleham:

Mr. Roger de Herteburn negotiates with Sir Peter de Montecute, rector of the church,

Uiro prouido et amico in Christo karissimo, domino Petro de Montecuto, rectori ecclesie de Middelham, Dunelmensis diocesis, Rogerus de Herteburn<sup>1</sup>, salutem, et prosperos ad pia vota successus. Litteras uestras circiter medium quadragesimi recepi, inter alia continentes, ut cum magistro Iacobo de Caunogl<sup>1</sup> super securitate uobis facienda, si

<sup>1</sup> uel perducatur, interlined, MS.

ecclesiam vestram iam dictam resignaretis, in pensione annuatim percipienda tractarem; set quoniam certus non extiti vbi poterat reperiri, cum dominus suus, tesaurarius London', cum quo stetit, in festo Beati Michaelis / proximo preterito viam vniuerse carnis sit ingressus, colloquium cum eodem super hoc habere nequii. Set consilium meum in hoc residet, vt pensionem annuam acceptetis, cum ipsam absque omni defalcacione seu diminucione, caulacione et impedimento, tempore pacis et guerre, et sine cura animarum, poteritis bene et integerrime recipere et habere, et ecclesiam vestram resignare, cum firmam eiusdem vix aliquo anno sine diminucione temporibus istis, vnde anxiare perturbor, potestis habere. Nam in hoc anno auctoritate domini pape domino meo episcopo, loci diocisano [sic], soluitur quinta; item, circa consecracionem eiusdem ecclesie expendi vj. marcas, et sic amittitis de firma hoc anno xvj. marcas. L[egit]imam vero securitatem de pensione recipienda habere potestis, videlicet obligacionem religiosorum virorum, prioris et conuentus *Dunelmensis*, eiusdem ecclesie patronorum, sigilli capituli sui inpressione munitam, quod sufficeret pro quingentis milibus marcarum, et, si opus fuerit, confirmacionem diocesani procurabo. Attendat itaque circumspectio vestra, quod circa commodum uestrum in hac parte laboro ut<sup>1</sup> negocium perficiatur; vnde, si tutum uobis videatur consilium meum, veniatis personaliter in Angliam et sumptibus meis, uel mittatis specialem procuratorem ad resignandum et alia expedienda, que huius[modi] negocium tangunt, cum procuratorio sufficienti, sigillo uestro et aliquo autentico ad eiusdem probacionem roborato, vt negocium feliciter possit consummari. Et bona fide uobis promitto, quod huiusmodi negocii expedicionem cum superflua securitate et cum summa fidelitate procurabo.

about its  
resignation,  
and informs  
him of the  
terms offered

fo. 24v.

by the  
convent,  
which he  
advises him  
to accept.

[1282-93; ? 1286.]

109. Viro venerabili domino . . ., priori *Dunelmensi*, *Osbertus*, miseracione diuina episcopus *Astensis*, salutem, et prosperos ad vota successus.<sup>a</sup> De gratuitis obsequiis, domino *Petro de Montecuto*, nostro consangwyneo, per vos collatis, ad grates accionum vberes vobis assurgimus, parati pro vobis et vestris facere que sunt grata, cognoscentes nos presenti in Romana curia commorari, ubi, si qua pro vobis placibilia facere possumus, nobis mandetis, nam illa libenter et hil-

L, mem. 1  
recto (12).

Bishop  
Middleham:

Osbert,  
bishop of  
Asti,  
reminds the  
prior of his  
promise to  
pay a pen-  
sion to the  
bishop's  
relative, Sir  
Peter de  
Montecute,  
and offers to  
be service-  
able at  
Rome,

<sup>1</sup> si, MS.



lariter faciemus; rogantes vtique vestram prudenciam, quatinus, eundem *Petrum* nostri amoris intuitu recommendatum habentes, quam sibi tenemini annuatim soluere pensionem, quod liberaliter vos facturos credimus, integre atque libere dare velitis; profecto scientes, quod plurimum id gratum habebimus, et vobis exinde erimus propensius obligati. Valete semper in domino.

[? 1273.]

S, fo. 22 (5). 110. De vicaria de Daltona.<sup>a</sup>

Dalton-le-Dale:

extract from a presentation, to show the endowment of the vicarage.

See no. 114.

Venerabili patri &c. Reuerende paternitati uestre &c., ad uicariam ecclesie de Dalton', ad nostram &c., que quidem uicaria secundum vestram ordinacionem consistit in toto alteragio ipsius ecclesie, videlicet in decima lane, agnorum, molendinorum et piscariarum, et in aliis minutis decimis et obuencionibus ad ipsam pertinentibus, vna cum area competenti in uilla de Dalton' ad edificandum; vos omni qua possumus &c., ut supra.

1253.

S, fo. 76v (3).

Heighington: Walter Kirkham, bishop of Durham, informs Bertram, prior of Durham, that William de Kilkenny, archdeacon of Coventry, has resigned the church.

28 June 1253.

111. Walterus, dei gracia *Dunelmensis* episcopus, dilecto in Christo filio, domino *Bertramo*, priori *Dunelmensi*, salutem, gratiam et benediccionem. Noueritis quod magister *Willelmus* de Kilkenny, archidiaconus *Couentrensis*, rector ecclesie de Hekentona,<sup>a</sup> ipsam in manus nostras per litteras suas patentes in uigilia Apostolorum Petri et Pauli apud Westonom simpliciter et absolute resingnauit. Cum igitur simus in ueniendo ad partes nostras, sciatis quod [ad] quicquid uobis cedere uiderimus ad commodum et honorem benignos, et fauorabiles super dicte ecclesie ordinacione, cum uenerimus, nos inuenietis, quatenus secundum deum uestre poterimus prospicere dileccioni. Valete. Dat' apud Westonom, uigilia Apostolorum anni domini MCCLIII.

## b. ARCHDEACONRY OF NORTHUMBERLAND.

[post 1247.]

S, fo. 26 (4); 112. Littera procuratoria.<sup>2</sup>

M, mem. 3 recto (10).

Bedlington:

Reuerentissimo patri &c., suus deuotus capellanus &c. In negocio presentacionis, per religiosos uiro[s] dominos

<sup>1</sup> Add nos, MS.<sup>2</sup> Procuratoria ad petendum beneficium nomine alicuius, M.



priorem et conuentum *Dunelmenses* de me ad uicariam de Bedelingtona<sup>1</sup> caritatis intuitu facte, et ad recipiendam institutionem vicarie eiusdem, si, gracia uestre paternitatis venerande michi fauente, me uelitis instituere in eadem, dilectum michi consanguineum meum, Adam de Daltona,<sup>2</sup> clericum, latorem presencium, procuratorem meum constituuo; dans eidem potestatem in animam meam quodlibet genus sacramenti prestandi, quod circa institutionem vicarie prefate desideratur, et omnia alia faciendi in premissis, que ego facturus essem, si personaliter presens essem. Ratum et firmum habiturus quicquid idem *Adam* in premissis et circa premissa nomine meo duxerit faciendum. In cuius rei [testimonium presenti scripto] &c. Valeat &c. Dat' &c.

a chaplain, presented by the convent to the vicarage, appoints his kinsman, Adam de Dalton, as proctor for his institution.

[? 1273.]

113. De vicaria de Brankestona.<sup>a</sup>

*S*, fo. 22v (1).

Reuerendo patri &c. Venerabili paternitati uestre &c. usque videlicet in decima lane, agnorum, feni et molendinorum, et in aliis minutis decimis et obuencionibus ad ipsam ecclesiam spectantibus, vna cum terra et manso in uilla de Brankestona ad ipsam ecclesiam pertinentibus, saluo custodielle nostre de *Werkewrth*, qui pro tempore fuerit, horreo eiusdem mansi cum situ et introitu ac exitu, per cuius custodis manum percipiet vicarius singulis annis xl. solidos de decimis garbarum ipsius ecclesie; vos omni qua possumus &c., ut supra.

Branxton:

extract from a presentation, to show the endowment of the vicarage.

See no. 114.

[? 1273.]

114. De vicaria de Ellingham.<sup>a</sup>

*S*, fo. 22 (4)

Venerabili patri &c. Reuerende paternitati vestre &c. presentamus dilectum nobis in Christo, dominum Ricardum de Muchingwic, capellanum, ad vicariam de Ellingham, ad nostram presentationem spectantem, que quidem vicaria secundum vestram ordinationem consistit in toto alteragio ipsius ecclesie, videlicet in decima lane, agnorum, feni et molendinorum, et in aliis minutis decimis et obuencionibus ad ipsam ecclesiam spectantibus, vna cum area competenti in villa de *Elinghama* ad edificandum, et terra de Northcarleton' et terra de Suthcarleton' ad predictam ecclesiam pertinentibus; vos omni qua possumus deuocione exorantes,

Ellingham:

presentation of Sir Richard de Muchingwic, chaplain, to the vicarage, with details of the arrangement.

North and South Charlton

<sup>a</sup> de tali loco, *M*.

<sup>b</sup> A. de N., *M*.

quatinus eundem *Ricardum* ad dictam vicariam ad presentationem nostram benigne, si placet, admittere uelitis. In cuius &c. Dat' &c. Val' &c.

C. DIOCESE OF ST. ANDREWS (COLDINGHAMSHIRE).

S, fo. 21 (4)

1262/3.

Berwick-upon-Tweed:

Prior Hugh and the convent, through the prior of Coldingham, present Mr. Patrick de Hertipol to Gameline, bishop of St. Andrews, for admission to the vicarage, endowed with the tithe of white fish from the sea boats, after the death of Mr. John de Barton, the late vicar, on 2 March 1262/3.

115. Memorandum quod anno domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> secundo, vacante vicaria de Berwic per mortem magistri Iohannis de Barton', obeuntis vj<sup>a</sup> Non' Martii anni predicti, presentatus est magister Patricius de Hertipol'<sup>a</sup> ad eandem vicariam per priorem de Coldingham, sub hac forma:

Littera procuratoria.

Reuerendo patri in Christo, domino *Gamelino*, dei gracia episcopo Sancti Andree, deuoti sui *Hugo*, prior, et conuentus *Dunelmensis* ecclesie, salutem, et promptissimum cum omni deuocione et reuerencia famulatum. Venerabili paternitati uestre per presentes litteras nostras patentes presentamus dilectum et fidelem clericum nostrum, magistrum Patricium de Hertipol', ad uicariam ecclesie nostre de Berwyc, videlicet ad decimam albi piscis prouenientem de batellis maris, que quidem vicaria uacat per mortem magistri Iohannis de Barton', quondam vicarii eiusdem ecclesie, et spectat ad presentationem nostram; omni qua possumus deuocione celitudinem uestram exorantes, quatinus eundem magistrum *Patricium* ad dictam uicariam, decimam uidelicet predictam, ad presentationem / nostram benigne, si placet, admittere dignemini. In cuius rei testimonium presenti scripto sigillum capituli nostri fecimus apponi. Dat' Dunelmi, Non' Martii, anno gracie M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> secundo. Valeat dilecta paternitas uestra in eternum in domino.

fo. 21v.

7 March 1262/3

S, fo. 21 (2).

Mr. Patrick de Hertipol appoints Mr. John de Brumpton, rector of Dinsdale, and Mr. Hugh de Hertipol alternately as proctors, especially for receiving an ecclesiastical benefice, during his absence at Cambridge.

116. Et quia dictus magister Patricius absens fuit, videlicet apud Cantebrigg', habuit procuratorem ad proseguendum negocium cum littera procuratoria.

Littera procuracionis. [sic]

Uniuersis Christi fidelibus ad quos presens scriptum peruenierit, Patricius de Hertipol', clericus, in uero saluatore<sup>1</sup> salutem. Nouerit uniuersitas uestra, quod ego feci et facio, constitui et constituo, magistrum Iohannem de Brumpton',

30 Sept 1262.

<sup>1</sup> salutari, MS

rectorem ecclesie de Diteneshal', et magistrum Hugonem de Hertilpol' sub alternacione procuratores meos in omnibus negociis [et] causis, contra me motis et mouendis, qualitercunque me contingentibus, coram quibuscunque iudicibus, ordinariis uel extraordinariis, quibuscunque locis, ad agendum, defendendum, appellandum, appellaciones prosequendas, et alia omnia facienda, que presencialiter facere possem. Do etiam eisdem uel eorum alteri specialem potestatem petendi nomine meo et recipiendi beneficium ecclesiasticum a quocunque patrono seu diocesano in quocunque regno, qui diuine pietatis intuitu michi prouidere curauerit. Ratum et gratum habiturus quicquid nomine meo duxerint uel duxerit faciendum uel procurandum; et pro eis uel eorum altero, si necesse fuerit, iudicatum solui promitto. In cuius rei testimonium presenti scripto sigillum meum apposui. Et quia sigillum meum quibusdam locis et personis est ignotum, ad probacionem eiusdem discretus vir, magister Rogerus de Herteburn', officialis domini Dunelmensis, sigillum officialitatis ad preces meas presentibus apposuit. Dat' Dunelmi, exeunte mense Septembris, anno domini M<sup>o</sup>CC<sup>o</sup>LX secundo.

Statim admissus fuit et institutus et inductus in corporalem possessionem per procuratorem predictum.

117. Littera assignandi aliquid nomine vicarie.

M, mem. 3  
recto (11).

Omnibus &c. Nouerit vniuersitas vestra [nos] concessisse, et presenti carta nostra confirmasse dilecto et fidei clerico nostro, magistro N., decimacionem piscarie marine de Berwyc, ad ecclesiam nostram de Berwyc pertinentem, habendam sibi in vita sua pro viginti marcis argenti, in quibus eidem nomine vicarie tenemur obligati. Si uero dicta decimacio in valenciam xx. marcarum non excreuerit, quod minus fuerit prior de Coldingham ei perficiet.<sup>a</sup> Et in huius rei testimonium &c.

Berwick-on-Tweed:

grant of the tithe of sea fish as the vicarage in lieu of 20 annual marks. Any discrepancy to be made good by the prior of Coldingham.

[1255-71.]

118. Memorandum quod anno superius dicto, vacante vicaria de Edenham per mortem Iohannis, uicarii eiusdem, presentatus fuit die Sancti Cuthberti ad eandem Galfridus de Lancest', capellanus, cum littera capituli sub hac forma:

S, fo. 26 (2).

Ednam:

presentation of Geoffrey de Lanchester to the bishop for admission to the vicarage after the death of John, the late vicar.

Littera presentatoria.

Reuerendo patri in Christo, domino G., dei gracia &c., ut supra. Venerande paternitati uestre per presentes litteras

nostras patentes presentamus dilectum nobis, dominum *Galfridum* de Langcest', capellanum, ad uicariam ecclesie nostre de Edenham, que uacat per mortem Iohannis, nuper vicarii eiusdem, et spectat ad presentacionem nostram; omni qua possumus affectione celsitudinem uestram exorantes, quatinus eundem *Galfridum* ad dictam vicariam, sicut eam tenuit Iohannes prenomatus, ad presentacionem nostram benigne, si placet, admittere dig[n]emini. In cuius rei &c. Dat' &c.

Statim admissus est et institutus &c.

*S, fr. 25 (1).*  
Old Cambus:  
memorandum on the  
presentation of Sir Nigel  
de Wolsingham to the  
vicarage.

16 Feb. 1264/5.

119. Memorandum quod anno gracie M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup>IIII<sup>o</sup>, xiiij. Kal' Martii, presentatus [fuit] dominus Nigellus de Wlsingham, capellanus, ad uicariam de Aldecambus domino episcopo Sancti Andree.

d. THE LIBERTY OF HOWDENSHERE AND ALLERTONSHIRE.

*L, mem. 2*  
*dorse (11).*

The prior  
and convent  
promise a  
clerk the  
next vacant  
benefice in  
Howden-  
shire or  
Allerton-  
shire.

120. Vniuersis Christi fidelibus ad quos presentes littere peruenerint, . . prior et conuentus ecclesie *Dunelmensis*, salutem in salutis auctore. Nouerit vniuersitas vestra quod nos dilecto nobis in Christo, magistro N., clerico, ob grata ipsius obsequia nobis et ecclesie nostre, multipliciter et vtiliter impensa, promittimus et nos obligamus ad prouidendum eidem de primo, secundo, iiij<sup>o</sup> &c. beneficio ecclesiastico, quod duxerit acceptandum, competenti, in Houedenaschyre seu Aluertonaschyre vacaturo, ad nostram spectante presentacionem, eciam si curam habeat animarum. In cuius rei &c. Dat' &c.

*M, mem. 5*  
*dorse (5).*

List of pen-  
sions due to  
the convent  
from the  
churches of  
Howden-  
shire;  
Heming-  
brough,  
Skipwith,  
Branting-  
ham,

121. Pensiones debite camere *Dunelmensi* ad duos anni terminos.<sup>a</sup>

De ecclesia de Hemingburg' ad quemlibet terminum xx. solidi.

De ecclesia de Schippewith' ad quemlibet terminum dimidia marce; assignatur librarie.

De ecclesia de Brantingham ad quemlibet terminum v. marce.



- De ecclesia de Welleton' ad quemlibet terminum xx. solidi. Welton,  
 De ecclesia de Walkingtona ad quemlibet terminum Walkington,  
 1. solidi; set inde assingnantur xx. solidi commune.  
 De ecclesia de Siggistona ad quemlibet terminum v. marce. Kirkby  
Sigston.

122. Memorandum quod Petrus Theobardi<sup>a</sup> habuit eccle- S, fo. 66v (1).  
 siam de Houeden' temporibus domini Philippi, *Dunelmensis* Howden:  
 episcopi, et obiit tempore Ricardi de Marisco, *Dunelmensis* memorandum  
 episcopi. Successit ei Symon de Ferlingtona, archidiaconus on its  
*Dunelmensis*,<sup>b</sup> ad presentacionem prioris et conuentus *Dunel-* rectors.  
*mensiūm*. Et successit Symoni Iohannes le Hautayn', nepos  
 domini Walteri, Eboracensis archiepiscopi.<sup>c</sup> Post eum suc-  
 cessit Fulco, prepositus Beuerlaci.<sup>d</sup> Cui successit Iohannes  
 le Maunsell'.<sup>e</sup>

. . . . capellam de Estringtona ignoro.

Eastrington.

Petrus Thebbardi Symon de Ferlingtona Iohannes le Hautayn Dominus Fulco Basset Iohannes le Maunsell'	}	Walterus de Kirkham <sup>f</sup> habuit capellam de Estringt(on'), [set qualiter ignoro.] <sup>1</sup>
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[c. 1239.]

*M, mem. 6  
recto (1).*

123. Supplicacio ad petendum beneficium ad opus alicuius.<sup>a</sup>

Howden:

*Henricus*, dei gracia rex Anglie &c. Licet primas  
 preces nostras, quas vobis pro dilecto clerico nostro, *Iohanne*  
 de N., cuius promocionem, suis meritis exigentibus, ex  
 animo desideramus, non exaudieritis, sicut firmiter speraba-  
 mus, non possumus tamen de deuocione vestra diffidere,  
 quin, tandem ad cor reuertentes, et vsi saniori consilio,  
 reuerhencia qua decet precibus regiis annuere uelit. Hinc  
 est quod deuocionem vestram quanta possumus affeccione  
 duximus iterato rogandam, quatinus, aduertentes diligenter  
 quam uobis esse poterit gratus et vtilis clericus memoratus,  
 quem pro sua probitate necnon et fidelitate sincere dilec-  
 tionis brachiis amplexamur, nos pro ipso velitis exaudire,  
 ecclesiam de N., que fuit venerabilis patris *Fulconis*, ipsi  
 caritatiue conferentes, quam, sicut intenditis, ad proprios  
 vsus vestros retinere non valetis, prout, si ad hoc contendere  
 volueritis, satis rerum declarabit euentus. Cum enim hoc

Henry, king  
 of England,  
 repeats his  
 demand that  
 the convent  
 should grant  
 the church to  
 his clerk,  
 John  
 Maunsell, and  
 forbids it to  
 retain it for  
 its own use.

<sup>1</sup> Added by S<sup>2</sup>.

Luc. XIV. 30.

nullatenus stare possit sine nostre dignitatis iniuria manifesta et Eboracensis ecclesie preiudicio perpetuo, quam in suis libertatibus intendimus, sicut tenemur, conseruare, conuiuentibus oculis non poterimus pertransire, quin ad defensionem iuris nostri et ecclesie supradicte manum potentem extendamus. Vnde bona fide uobis consulimus, quod, dum postquam inceperitis quod ad finem perducere non poteritis, uobis possit illudi secundum illud ewangelicum: quod inceperitis *edificare non* valuistis *consummare*. Qualiter igitur has preces nostras admittere volueritis, sine more dispendio nobis renunciatis. Teste meipso &c.

M, mem. 6  
recto (4).

[c. 1239.]

Howden:

the king  
thanks his  
correspon-  
dent for going  
to Durham  
and pressing  
the candida-  
ture of  
Maunsel,  
and, as the  
convent is  
still stubborn,  
asks him to  
write.

124. Salutem. Quantas possumus gratiarum acciones uobis exsoluimus, quod pro promocione dilecti clerici nostri, *Iohannis*, personaliter vsque Dunelmum iuxta preces nostras laborare uoluistis, et quia nondum iuxta desiderium nostrum nobis prior et conuentus *Dunelmenses* responderunt super petitione quam eis fecimus, iterato super hoc ipsos sollicitamus; vos attentius rogantes, quatinus per litteras vestras ipsos rogare et inducere velitis, quod precibus nostris in hac parte benigne condecendant, ita quod uobis inde scire debeamus speciales. Teste me [&c.].

[c. 1239.]

M mem. 6  
recto (2).

Howden:

the king's  
correspondent  
begs the con-  
uent to  
submit.

125. Venerabilibus &c. Cum dominus rex ob deuocionem et affectum, quem erga nos gracia vestri semper habuistis et adhuc habetis, quam pluries nobis mandauerit prosequi negocium domini *Iohannis* super ecclesia de N. per uos promouendum, sperans illud per nos propter causas premissas maturius ac facilius debere expediri, vos attentius duximus exorandos ac consulendos, quatinus, omnibus discriminibus consideratis que possent euenire nisi petitioni regie faueretis, eandem, si placet, cum consilio maturiori recipiatis; litteras autem, quas nobis pro prefato negotio destinauit, uobis inclusas transmittimus. Et, si placet, domino regi significare velitis quid super hoc facere decreueritis, tedia, pericula et labores pensantes, si in hac parte odium et indignacionem domini regis incurratis; et, ne infructuose predictum negocium nobis inu[n]xisse videatur, ei, si placet, diligenciam quam apposuius ac consilium significetis. Bene valete.

[c. 1239.]

*M*, mem. 6  
recto (3).

Howden:

a bishop supports the claims of the king and of Maunsel.

126. Salutem, gratiam et benedictionem. Tantis virtutis et sciencie meritis notis venerabilem virum, dominum *Iohannem*, clericum domini regis, pollere, quod, eciam si regio magnatumque fauore munitus non esset, deberetis ipsum reputare gracia magna dignum. Cum igitur morum honestas, preclara prudencia et regii fauoris magnitudo suffragentur eidem, vos rogamus attente et vobis consulimus bona fide, ne deterius ob hoc vobis contingat, quatinus ei super precibus, quas vobis idem dominus rex pro eo direxit, taliter facere cum effectu curetis, quod ex hoc eiusdem domini regis et aliorum magnatum vobis et domui vestre specialem fauorem et gratiam adquiratis, et quod idem clericus, cuius amoris constancia vobis esse poterit plurimum fructuosa, vestro beneplacito debeat arcius obligari. Valet.

[? 3 March 1264/5.]

*S*, fo. 23v (2);  
*M*, mem. 5  
recto (1).

Howden:

Prior Hugh orders the monks Henry de Horne-castre and T. de N. to sequester the vacant church.

127. Littera de sequestro.<sup>1</sup>

*Hugo*, prior *Dunelmensis* ecclesie, dilectis sibi in Christo fratribus *Henrico* de Hornecast' et T. de N.,<sup>2</sup> salutem in domino. Cum custodia et sequesterum omnium ecclesiarum vacancium in baronia de Houed' ad nos tam de iure quam de antiqua et approbata consuetudine pertinere noscatur, vobis tenore presencium<sup>3</sup> mandamus, quatinus ecclesiam de Houedena, ut dicitur nunc uacantem,<sup>4</sup> cum suis capellis diligenter nostro nomine<sup>5</sup> custodire curetis; fructus et obuenciones ipsius et capellarum eiusdem nostro eciam nomine percipieturi, et sub fideli custodia retenturi. Quod si<sup>6</sup> uos super hoc perturbent aliqui uel molestent, vos uel alter vestrum, canonicis monicionibus<sup>6</sup> premissis, in ipsos excommunicationis sententiam sollempniter proferatis; quam, ubi et quando uideritis expedire, usque ad condignam satisfaccionem faciatis sollempniter publicari. Dat' Dunelmi &c., anno gracie &c.<sup>7</sup>

3 March [1264/5.]

*S*, fo. 23v. (3);  
*M*, mem. 5  
recto (2).

Howden:

Prior Hugh orders the parochial chaplains of the church to obey his sequestrators, and to disregard the intervention of the chapter of York.

128. De prouentibus reddendis.<sup>1</sup>

*Hugo*, prior *Dunelmensis* ecclesie,<sup>8</sup> dilectis sibi ecclesie de Houedena et capellarum eius parochialibus capellanis,

<sup>1</sup> *Om. tittle, M.*<sup>2</sup> H. prior &c., dilectis in Christo filiis &c., *M.*<sup>3</sup> *Add et, MS.*<sup>4</sup> nomine nostro, *M.*<sup>5</sup> Repeat si, *MS.*<sup>6</sup> munic., *MS.*<sup>7</sup> Dat', *M.*<sup>8</sup> H. prior &c., *M.*

salutem in domino. Mandamus vobis, firmiter iniungentes, quatinus, *Henrico* de N. et T. de N.,<sup>1</sup> commonachis nostris apud Houeden existentibus, intendentes, eisque de fructibus et proue[n]tibus ecclesie et capellarum earundem plenius respondentes, nulli alii de fructibus et obuencionibus memoratis cuiuscunque pretextu mandati, a<sup>2</sup> capitulo *Eboracensi* uobis directi uel eciam dirigendi, respondere curetis, sicut canonicam euitare volueritis ulcionem. Dat' Dunelmi, v. Non' Martii, anno gracie M<sup>o</sup> &c.<sup>3</sup>

M. mem. 8  
dorse (14.)

? Howden:

the convent  
asks its cor-  
respondent to  
aid the em-  
bassy it has  
sent to the  
chapter of  
York for  
seeking its  
help over the  
ordination of  
a church.

[? 1265.]

129. Salutem. Licet ad imploranda pro alico negocio vestre dileccionis patrocina et consilia nulla nos merita nostra vel obsequia reddant audaces, quia tamen experientia didicimus quod nos et ecclesiam nostram sincera affeccione diligitis, vestram excellenciam cum fiducia suppliciter exoramus, omni qua possumus deuocione supplicantes, quatinus, cum dilectos fratres nostros, N. et N., ad venerabiles viros capitulum *Eboracense* pro implorando eorum presidio et consilio super quadam ordinatione illius ecclesie, pro bone memorie N. prouisa, transmiserimus, vos, si placet, ponderantes [discrimina] et pericula, que poterunt ecclesie nostre prouenire si, ordinatione preuisa super prefata ecclesia per alicorum procuracionem aut incuriam impedita vel dilata, talis interdum persona ecclesie preficiatur memorate, qui debitam fidem et reuerenciam ecclesie non seruet, qui de animarum cura vel hospitalitatis operibus parum vel nichil curet, taliter nobis consulere vel patrocinari velitis, ut tam ecclesie nostre liberalitati prouideatis et ydemptitati.

S fo. 66.

Howden:

Prior Hugh  
and the  
convent,  
wishing to  
change  
Howden into  
a collegiate  
church, em-  
power Hugh,  
precentor of  
York, Rayner,  
archdeacon of  
York, and  
Simon, arch-  
deacon of  
Richmond, to  
effect the  
reform.

17 April 1265.

130. [Submissio prioris et capituli *Dunelmensis*.]<sup>4</sup> a

Viris venerabilibus et discretis dominis, Willelmo, decano,<sup>b</sup> et capitulo *Eboracensis* ecclesie, sui deuoti Hugo, prior, et conuentus ecclesie *Dunelmensis*, salutem cum omni reuerencia et honore. Affectantes in ecclesia de Houedena, ad nostrum patronatum spectante, et in qua nos prior iuribus archidiaconalibus hactenus vsi sumus, cuius parochia adeo est diffusa et prouentuum redditus habundantes, quod ad

<sup>1</sup> T. de I., M.

<sup>2</sup> qui, MS.; altered, M.

<sup>3</sup> Dat' &c., M.

<sup>4</sup> Heading from S<sup>2</sup>.



plurium sustentacionem suppetant facultates, cultum diuini numinis adaugeri, et animarum saluti salubrius prouideri, vobis, dominis Hugoni, precentori, Raynero et Simoni, Ebor' et Richemund' archidiaconis,<sup>c</sup> vt in ipsa ecclesia de Houedena, inspecta gracia nobis facta per sedem apostolicam de eadem, ordinetis, statuatis, distinguatis et taxetis prebendas auctoritate capituli et consensu, prout ad honorem dei et curam animarum uideritis expedire, liberam tenore presencium concedimus facultatem, in hiis et circa ea nos ordinacioni vestre totaliter et libere submittentibus; iuribus, libertatibus antiquis nostris, consuetudinibus vniuersis et iure patronatus, que et quas habuimus in ipsa ecclesia, et habemus in eisdem prebendis cum ordinate fuerint et taxate, quocumque eas vacare contigerit, procuracione dumtaxat excepta, nobis nostrisque successoribus semper saluis. Et (diligencius) protestamur, quod a predicta gracia nobis facta nolumus per premissum nostrum consensum, concessionem seu subm(issionem) aliqua racione recedere, vel quod nobis aliquod preiudicium generetur, si ordinacio non processerit antedicta, vel forte proc(edens) effectum sortita non fuerit. Presentibus post proximo futuras kalendas Maii, nisi citra eas ordinacio vestra super h(ii)s in forma premissa irrefragabiliter processerit, minime valituris. In huius rei testimonium sigilla nostra presentibus sunt appensa. Dat' Dunelmi, quinto decimo Kal' Maii, anno gracie M<sup>o</sup>C<sup>o</sup>C<sup>o</sup> sexagesimo quinto.

17 April 1265.

131. [*Consensus capituli Eboracensis ad ordinandas prebendas in ecclesia de Houden'*.]<sup>1</sup>

Howden:

Vniuersis sancte matris ecclesie filiis ad quos presens scriptum peruenerit, capitulum Eboracensis ecclesie cathedralis, salutem in domino sempiternam. Petentibus instanter viris religiosis, priore et conuentu Dunelmensibus, vt in ecclesia Sancti Petri de Houedena, ad eorum patronatum spectante, inspecta sedis apostolice gracia de eadem ecclesia sibi facta, prebende ordinentur, et submittentibus eandem ecclesiam totaliter ordinacioni dominorum Hugonis, precentoris, Rayneri Ebor' et Simonis Richemund' archidiaconorum, concanonicorum nostrorum, faciende de nostra auctoritate et consensu, et petentibus vt eisdem nostram auctoritatem inperti-

the chapter of York sanctions the reform and the procedure.

<sup>1</sup> Title from S<sup>2</sup>. The italicised words are in a fifteenth-century hand; consensus over an erasion.

remur et consensum, nos, dictorum prioris et conuentus votis annuentes, predictis concanonice nostris auctoritatem prebemus et consensum ordinandi de eadem ecclesia et statuendi in ea prebendas et distinguendi et taxandi, prout viderint expedire. Act' xv<sup>o</sup> Kal' Maii, anno domini M<sup>o</sup>C<sup>o</sup>LX<sup>o</sup> quinto.

30 April 1265.

S. fo. 65v;  
S. 10. 27v.  
(S<sup>1</sup>).

132. **[Ordinacio ecclesie de Houeden.]**<sup>1</sup>

Howden:

the ordainers  
announce  
their reterm.

Omnibus sancte matris ecclesie filiis presens scriptum visuris vel audituris, Hugo, precentor, Raynerus Eboracens' et Simon Rychemund' archidiaconi, canonici Ebor', salutem in domino sempiternam. Affectantibus viris religiosis priore et conuentu Dunelm' in ecclesia Sancti Petri de Houeden', ad eorum patronatum spectante, cuius parochia adeo est diffusa, et prouentuum redditus habundantes, quod ad plurimum sustentacionem suppetant facultates, cultum diuini numinis adaugeri, et animarum saluti salubrius prouideri, et instanter a capitulo Ebor' petentibus, vt in eadem ecclesia prebende de ipsius prouentibus ordinentur, in cuius ecclesie possessionem per indulgenciam Gregorii pape noni se dicebant ingressos, tandem, concurrente auctoritate et consensu predicti capituli, dicti prior et conuentus ordinacioni nostre predictam ecclesiam de Houedena libere et totaliter submiserunt, vt in ipsa ecclesia ordinemus, statuamus,<sup>2</sup> distinguamus et taxemus prebendas ad augendum in eadem numerum ministrorum, prout ad honorem dei et curam animarum viderimus expedire. Nos igitur de auctoritate et consensu dicti capituli Ebor', submissione dictorum prioris et conuentus accepta,<sup>3</sup> in nomine domini nostri Ihesu Christi taliter ordinamus, quod sint in dicta ecclesia de Houedena quinque prebende inperpetuum, et quilibet prebendarius habeat [suo sumptu] presbiterum et clericum, in sacris ordinibus constitutum, in ipsa ecclesia ministrantes in habitu canonicali secundum morem ecclesie Ebor', et modum psallendi teneant quem obseruat Eborac' ecclesia, exceptis matutinis, quas propter parochiam mane dicant, et singuli sint ebdomadarii secundum ordinem vicis sue, et quilibet prebendarius curam agat parochie per presbiterum suum in porcione sibi deputata. Statuimus etiam, vt presbiteri altarium Sancte Marie

<sup>1</sup> Title in fifteenth-century hand;  
Submissio prioris et conuentus super  
ordinacione ecclesie de Houeden in

prebendas, S<sup>1</sup>.  
<sup>2</sup> statuimus, S<sup>1</sup>.  
<sup>3</sup> recenta, S<sup>1</sup>.

et Sancti Thome Martiris et Sancte Katerine intersint horis canonicis, processionibus et maiori misse in habitu aliis conformi, et illa altaria presbiteris prebendariorum nullatenus deputentur, ne per hoc numerus ministran(cium m)inuatur; set pocius augeatur. Statuimus etiam et ordinamus, vt cui-libet dictorum trium presbiterorum, dictis tribus altaribus ministran(cium, u)t<sup>1</sup> liberius<sup>2</sup> et diligencius intersint horis, processionibus et maiori misse, detur annuatim in augmentum stipendiorum (eorundem<sup>3</sup> v)na marca de obuencionibus maioris altaris ad festum Sancti Martini in hieme et ad pentecosten per partes equales. (Et) quia dicti prior et conuentus, pro ampliando cultu diuino et multiplicandis operibus pietatis in ecclesia de Houedena predicta diuinitus inspirati, ecclesiam eandem nostre ordinacioni liberaliter submiserunt, vt sedis apostolice gratiam et suam deuocionem laudabilem sibi senciant fructuosam, capellam de Estringtona cum pro-uentibus ecclesiasticis eiusdem ville et villarum de Cayuill',<sup>4</sup> a Byreland', Portyngtona, Ousthorp, Hythe, Sandholm,<sup>5</sup> Neu-land', Dyc,<sup>6</sup> terre Mariscalli, et terre camere, Lymphenhill', Grenayc, Belasis',<sup>7</sup> et terre Benedicti cum decima Iohannis de Warwyc eisdem priori et conuentui presenti ordinacione assignamus in usus proprios conuertendam, et statuimus perpetuo possidendam cum sepultura parochianorum dictarum villarum et omni emolumento et onere parochiali, ita quod prebende a prestacione pensionum et procuracionum perpetuo sint immunes, nichil aliud de iuribus, consuetudinibus et libertatibus dictorum prioris et conuentus vel cuiusquam<sup>8</sup> alterius presenti ordinacione detrahentes; totum autem residuum parochie de Houedena quinque prebendariis assignamus; prebendas taliter distinguentes, videlicet quod ad prebendam primam pertineant decime prediales vniuerse et<sup>9</sup> fenorum et<sup>10</sup> lane et agnorum de villis de Houedena, Knedelyngtona et Bernhyll'; ad secundam prebendam de villis de Barneby et Askelby; ad tertiam de villis de Thorp,<sup>11</sup> Belleby, Balchholm',<sup>12</sup> Lyntona et Gayre, cum decima culture del Spen,<sup>13</sup> de Kypyn et Trandyc; ad quartam de Laxintona,<sup>14</sup> Scelton' et Greseby, et ad quintam de villis de Salso<sup>15</sup> Marisco, Cote-

<sup>1</sup> (Om., S<sup>2</sup>).<sup>2</sup> libencius, S<sup>1</sup>.<sup>3</sup> (suorum, S<sup>2</sup>).<sup>4</sup> Cayuic, S<sup>1</sup>.<sup>5</sup> Sandhol, S<sup>1</sup>.<sup>6</sup> Dik', S<sup>1</sup>.<sup>7</sup> Belaysise, S<sup>1</sup>.<sup>8</sup> cuiuscunque, S<sup>1</sup>.<sup>9</sup> et vniu., S<sup>1</sup>.<sup>10</sup> Om., S<sup>1</sup>.<sup>11</sup> Add et, S<sup>1</sup>.<sup>12</sup> Balcolm', S<sup>1</sup>.<sup>13</sup> Splen, S<sup>1</sup>.<sup>14</sup> Laxingtona, S<sup>1</sup>.<sup>15</sup> Salco, S<sup>1</sup>.

nesse,<sup>1</sup> Metham et Yuckeflete.<sup>2</sup> Obuenciones uero<sup>3</sup> altaris et mortuaria et personales decime villarum, ad prebendas deputatarum,<sup>4</sup> in vsus canonicorum conuertantur, et inter ipsos equaliter diuidantur. Area autem ecclesie ad inhabitandum inter prebendarios proporcionaliter diuidatur, et precium edificiorum, ibi nunc existencium, in chori fabricam conuertatur. Dicti vero prior et conuentus dictarum prebendarum habeant patronatum, quarum prebendarii ab ipsis domino archiepiscopo, et, sede vacante, capitulo presententur instituendi et etiam installandi. Ne autem de ordine sedendi vel procedendi oriatur inter personas materia questionis, statuimus vt ex parte australi prebendarius prime prebende optineat primum locum, et prebendarius tercię secundum, prebendarius quinte / tertium, et presbiter altaris Sancti Thome quartum. Ex parte uero boreali prebendarius secunde prebende optineat primum locum, et prebendarius quarte secundum, presbiter altaris Sancte Marie tertium, et presbiter altaris Sancte Katerine quartum. Hanc autem ordinacionem nostram ad honorem dei et ecclesie Christi factam statuimus inuiolabiliter obseruari. Act' pridie Kal' Maii, anno domini millesimo ducentesimo sexagesimo quinto. In cuius rei firmitatem et memoriam perpetuam presenti scripto tam sigilla nostra quam sigilla<sup>6</sup> predicti capituli Ebor' et dictorum prioris et conuentus Dunelm'<sup>6</sup> sunt appensa.

fo. 65v.

50 April  
1265.

S, fo. 66 (3). 133. Ordo prebendariorum et capellanorum in ecclesia de Houeden.

diagram  
illustrating  
the new  
arrangement  
of the  
church.

Ex parte australi:	i. [stallum.] Houeden'.	ij. [stallun.] <sup>7</sup> Thorp.	iiij. stallnm in De Salso Mar-
	choro.] <sup>7</sup> isco.	iiij. [stallum.] <sup>7</sup> Presbiter altaris Sancti Thome.	

Ex parte boreali:	i. [stallum.] <sup>7</sup> Barneby.	ij. [stallum.] <sup>7</sup> Laxinton'.	iiij. [stallum.] <sup>7</sup> Presbiter Sanc-
	te Marie.	iiij. [stallum.] <sup>7</sup> Presbiter altaris Sancte Katerine. /	

fo. 66v.

<sup>1</sup> Gothenes, S<sup>1</sup>.<sup>2</sup> Yckesfleth', S<sup>1</sup>.<sup>3</sup> autem, S<sup>1</sup>.<sup>4</sup> deputarum, S<sup>1</sup>.<sup>5</sup> sigillum, S<sup>1</sup>.<sup>6</sup> Om. et dictorum . . . Dunelm', S<sup>1</sup>.<sup>7</sup> Supplied from S<sup>2</sup>.



Prima            { Houeden', xxxvi. marce. } Summa summarum,  
 prebenda:    { Knedelington', xvi. marce. } lv. marce.  
                  { Bernhil', iiij. marce. }

Secunda        { Barnebi, xxx. marce. } Summa summarum,  
 prebenda:    { Askeby, xxiiij. marce. } liiij. marce.

Tercia         { Thorp, iiij. marce. }  
 prebenda:    { Belleby, x. marce. }  
                  { Balcholim,  
                  Linton',            } xxiiij. marce. } Summa,  
                  { Gayre,                            } liiij. marce.  
                  { Spen,  
                  Kylpyn,                   } xvi. marce.—  
                  { Tranedyc, }

Quarta         { Laxton', xxx. marce. }  
 prebenda:    { Skelton',                } xxv. marce. } Summa, lv. marce.  
                  { Griseby, }

Quinta         { Salsus Mariscus, xxv. marce. } [Summa  
 prebenda:    { Kotenesse,                } xx. marce. } summarum.]<sup>1</sup>  
                  { Metham,                    }  
                  { Yucflet, xij. marce. } lvij. marce.

Capella  
 de Est-  
 ring-  
 tona.        { Estrington' x xiiij. marce. }  
                  { Kayuill',                    } xx. marce.  
                  { Byreland,                   }  
                  { Portington', viij. marce. }  
                  { Ousthorp,                   } xviiij. marce.  
                  { Hythe,                        }  
                  { Sandolm,                    }  
                  { Neuland,                    }  
                  { Dike,                         } xx. marce.  
                  { Terra Marescalli,        }  
                  { Terra camere,            }  
                  { Limpenhil,                }  
                  { Grenayc, xij. marce. }  
                  { Belasis,                    }  
                  { Beneteland,                } viij. marce.  
                  { Terra Iohannis            }  
                  { de Warwyc,                }

Summa,  
 cx. marce.

<sup>1</sup> Supplied from S<sup>2</sup>.

6 Oct. 1265.

134. De non alienandis bonis ecclesie de Houeden.<sup>1</sup>

S, fo. 21v, (4);  
M, mem. 4  
recto (19).

Howden and  
Eastrington:

Robert of  
Holy Island  
sacrist of  
Durham, the

fo. 22.

prior's vice-  
gerent in  
Howden-  
shire and  
Allerton-  
shire, forbids  
the alienation  
of goods from  
the churches  
of Howden  
and  
Eastrington.

Robertus de Insula, sacrista *Dunelmensis*,<sup>2</sup> gerens uices domini *Hugonis*, prioris [*Dunelmensis*], fungentis uice ordinaria iure archidiaconali infra libertates Sancti Cuthberti in Houedenaschyr' et Aluertonaschyr', *Eboracensis* diocesis, discretis uiris capitulo<sup>3</sup> parochiali ecclesie<sup>4</sup> de Houeden' et ceteris capellanis / parochialibus in prebendis eiusdem ecclesie constitutis, salutem in domino.<sup>a</sup> Auctoritate qua fungimur, sub pena suspensionis uobis mandamus, in uirtute obediencie firmiter iniungendo, quatinus denunciatis in predicta ecclesia et in singulis prebendis eiusdem ecclesie, quod nullus ex causa empcionis uel donacionis seu permutacionis vel ex aliqua alia causa manus imponat bonis que ad dictam ecclesiam de Houedena et ecclesiam de Estrington' pertinent in capite uel in membris, nec sit in consilio uel auxilio ut dicta bona alienentur quoquomodo, nisi de uoluntate domini prioris *Dunelmensis* et canonicorum eiusdem ecclesie de Houedena pro<sup>5</sup> rata ipsos contingente; quod qui<sup>6</sup> presumserit, nouerit se, monicionibus premissis, vinculo excommunicacionis innodatum.<sup>7</sup> Qualiter autem presens nostrum mandatum fueritis executi, per litteras uestras patentes, harum seriem de uerbo ad uerbum continentes, infra quindecim dies post recepcionem presencium dominum priorem *Dunelmensem* uel nos certificare non differatis. Dat' aput Welletonam, die Martis proxima post festum Sancti Michaelis, anno domini M<sup>o</sup>CC<sup>o</sup>LXV<sup>to</sup>.<sup>8</sup>

[? 1265.]

## 135. Item littera ad constituendum atornatum in curia laycali.

M, mem. 1  
recto (20).

Howden and  
Eastrington:

the convent  
appoints  
attorneys to  
prosecute  
despoilers of  
the churches  
of Howden  
and  
Eastrington.

Omnibus &c. Nouerit vniuersitas uestra nos constituisse et ordinasse dominos N. et N., fideles nostros, vel eorum aliquem, qui presentes litteras nostras h[ab]uerit, atornatos nostros vel atornatum nostrum coniunctim et diuisim ad prosequeudas causas nostras et negocia nostra tam coram vicecomite Ebor' quam alibi, quibuscunque diebus et locis, contra quoscunque distractores, inuasores, receptores seu detentores bonorum ecclesiarum de Houedena et Estri[n]g-

<sup>1</sup> *Om. tulle, M.*

<sup>2</sup> *R. de I, M.*

<sup>3</sup> *capello, M.*

<sup>4</sup> *Om., M.*

<sup>5</sup> *per, MS., M.*

<sup>6</sup> *si, MS.*

<sup>7</sup> *innodandum, MS.*

<sup>8</sup> *Dat' &c., M.*

tona, et ad emendas<sup>1</sup> de dampnis et iniuriis, nobis et ecclesie nostre latis, nomine nostro recipiendas ab eisdem. Ratum et gratum habituri quicquid [i]idem atornati nostri nomine nostro super premissis coniunctim vel diuisim, sicut predictum est, duxerit vel duxerint faciendum. In cuius &c. Dat' &c.

12 Oct. 1265.

135a. Vniuersis ad quorum noticiam presens scriptum peruenerit, Walterus, miseracione diuina archiepiscopus *S, fo. 35.* Eboracensis, Anglie primas, salutem in domino sempiternam. Noueritis nos obligacionem prebendariorum ecclesie de Houedena, ipsorum sigillis munitam, non cancellatam, non abolitam, in hec uerba inspexisse:

Howden:  
Walter Giffard, archbishop of York, confirms an agreement by which Mr. John de Methelton, Sir Richard de Midelton, Masters Geoffrey de Forseth, Hugh of Evesham and John de Newton, canons of Howden, promise to pay half of an annual pen-  
*fo. 35v.*

Omnibus sancte matris ecclesie filiis presentes litteras inspecturis, magister Iohannes de Metheltona, dominus Ricardus de Mideltona,<sup>a</sup> magistri Galfridus de Forseth,<sup>b</sup> Hugo de Euesham<sup>c</sup> et Iohannes de Neutona, canonici ecclesie de Houedena, salutem in domino sempiternam. Nouerit vniuersitas vestra, quod ad prosecucionem communis negotii nostri ecclesie de Houedena et contribucionem pro eodem negotio faciendam pro voluntate domini prioris Dunelmensis dicto priori et eiusdem loci conuentui obligamus nos, prebendas / nostras et omnia bona nostra, ubicunque fuerint inuenta, legitima stipulacione interposita, ac corporali iuramento tactis sacrosanctis ewangeliiis prestito firmata; ita quod liceat dictis priori et conuentui, uel alicui quem ad hoc deputauerint, omnia bona dictarum prebendarum nostrarum et alia, quibuscunque nominibus censeantur, propria autoritate, irrequisito superioris uel alterius arbitrio, occupare, tenere et distrahere, et eorum dominium quocunque alienacionis genere usque ad summam contribucionis faciende, pro rata nos contingente, transferre. Si quam uero impensuri sunt pro isto negotio cuius persone de sua camera annuam pensionem, nos et nostri successores, quamdiu eam impenderit, medietatem eis de nostris porcionibus annuis persoluemus. In quorum omnium premissorum testimonium dictis dominis priori et conuentui presentes litteras nostras fieri fecimus patentes, et easdem signorum nostrorum munimine roborauimus. Act' apud Dunelmum, iiij<sup>to</sup> Idus Octobris, anno domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> quinto.

sion, should the convent have to make such a grant in the prosecution of the business of Howden church; and the archbishop stipulates that the obligation shall expire with the expiry of the pension due to Sir Bogo de Clare.

12 Oct. 1265

<sup>1</sup> emendendas, MS.

Nos igitur dictam obligacionem pro vtilitate ecclesie ipsius de Houedena et prebendariorum eiusdem considerantes provide esse factam, ratam habemus et firmam, eandem<sup>1</sup> auctoritate pontificali confirmantes; presentibus, postquam solucio pensionis, que debetur domino Bogoni de Clara a dictis priore et conuentu cessauerit, minime valiturus.<sup>d</sup> In cuius rei testimonium huic scripto sigillum nostrum fecimus apponi. Dat' Londoniis, quinto kal' Maii, anno gracie

27 April 1268. M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> octauo.

17 Feb. 1265/6.

S, fo. 67 (r). 136. Confirmacio domini legati.

Howden:

Ottobono,  
cardinal  
deacon of St.  
Adrian, papal  
legate,  
confirms the  
reform.

Ottobonus, miseracione diuina Sancti Adriani diaconus cardinalis, apostolice sedis legatus, discretis viris canonicis ecclesie Sancti Petri de Houeden', Eboracensis diocesis, salutem in salutis auctore. Celesti curie placens et grande prestatur obsequium cum animarum salus et diuinus cultus augeri sollerter procuratur in terris. Sane peticio vestra nobis exhibita continebat, quod, affectantibus olim religiosis viris, . . priore et conuentu *Dunelmensibus*, in ecclesia Sancti Petri de Houeden, Eboracensis diocesis, ad eorum patronatum spectante, cuius parochia adeo est diffusa et prouentuum redditus habundantes quod ad plurium sustentacionem ipsius ecclesie sufficere poterunt facultates, cultum inibi diuini adaugeri numinis, et animarum saluti salubrius prouideri, et instanter a capitulo Eboracensi petentibus, vt in eadem ecclesia, in cuius possessionem per indulgenciam, eis a felicis recordacionis domino Gregorio papa viiij. concessam, se dicebant ingressos, deberent prebende de ipsius prouentibus ordinari, tandem prior et conuentus predicti, eiusdem Eboracensis capituli expresso accedente consensu, qui requiri de iure et consuetudine approbata debuit, vt asseritis, Eboracensi sede vacante, se super hiis ordinacioni discretorum virorum, Hugonis, precentoris, Rayneri<sup>2</sup> Eboracensis et Simonis Richemundie archidiaconorum in ecclesia Eboracensi, libere ac totaliter submiserunt, illis speciali et expressa potestate concessa ordinandi in ipsa ecclesia Sancti Petri, statuendi, distinguendi et taxandi prebendas, ad augendum in ea numerum ministrorum, prout ad honorem dei et animarum salutem expedire viderent; qui, Ihesu Christi nomine inuocato, pensatis quoque ipsius ecclesie Sancti Petri facul-

<sup>1</sup> eandam, MS.

<sup>2</sup> Raynerii, MS.



tatibus, quinarium canonicorum et totidem presbiterorum numerum statuerunt in ea, et diuisis, prout secundum deum expediri viderunt, eiusdem ecclesie facultatibus inter ipsos, statuerunt quedam alia salubri(a) et honesta, prout in eorum patentibus litteris confectis exinde, suis<sup>1</sup> et predictorum capituli Eborac(ens)is sigillis munitis, quas de verbo ad verbum presentibus inseri fecimus, plenius per(speximus) contineri. Nos igitur vestris ac eorundem prioris et conuentus supplicationibus, quas in ha(c parte) speciali fauore prosequimur, inclinati, quod super hiis prouide factum est ratum et grat(um) habentes, id auctoritate qua fungimur confirmamus, et presenti<sup>2</sup> scripto communimus. Tenor autem (litterarum) ipsarum talis est: 'Omnibus sancte matris ecclesie filiis' &c., ut supra. Nulli ergo omnino hominum liceat hanc paginam nostre confirmacionis infringere, uel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit, indignacionem omnipotentis dei et beatorum Petri et Pauli, apostolorum eius, se nouerit incursum. Dat' Londoniis, xiiij. Kal' Marcii, pontificatus domini Clementis pape iiij. anno secundo.

24 Feb. 1267/8.

136a. . . .<sup>3</sup> et inter ipsos, dumtaxat equaliter diuidantur, *S, fo. 35.*

qui per tres menses ad minus in anno continue<sup>4</sup> uel interpolatim in ecclesia ipsa residenciam fecerint personalem; ita quod in festo Sancti Martini in hyeme et in festo Pentecostes fiat eorundem prouentuum distribucio, et, qui in dimidio anno pro medi[e]tate residenciam fecerint, proporcionaliter competentem recipiant porcionem. Nolumus tamen quod per hoc a residencia residui temporis, ad quam de iure tenentur, aliquatenus excusentur; set ad ipsam per nos et successores nostros compelli valeant secundum quod dictant canonice sanctiones. Area autem ecclesie ad inhabitandum inter prebendarios proporcionaliter diuidatur. Dicti vero prior et conuentus dictarum prebendarum et vicarie habeant patronatum, ad quas, cum ipsas vacare contigerit, nobis et successoribus nostris, ac sede vacante Eboracensi capitulo, personas ydoneas presentabunt, per nos et successores nostros, et sede vacante per capitulum, admittendas canonice et etiam installandas. Ne autem de ordine sedendi uel pro-

Walter Giffard, archbishop of York, confirms the reform.

Eastrington.

<sup>1</sup> suo, *MS.*

<sup>2</sup> presentis, *MS.*; corrected, *S*<sup>2</sup>.

<sup>3</sup> The beginning of the document is lost through the excision of a page.

<sup>4</sup> continuo, *MS.*

cedendi inter prebendarios contencio oriatur, statuimus quod ex parte australi chori prebendarius prime prebende optineat primum locum, prebendarius tertie prebende secundum, prebendarius quinte tercium, et presbiter altaris Sancti Thome quartum; ex parte vero boreali prebendarius secunde prebende optineat primum locum, prebendarius quarte secundum locum, presbiter altaris Sancte Marie tercium, presbiter altaris Katerine quartum, et idem ordo in procedendo inter eos obseruetur. Hanc autem ordinacionem, concurrente consensu capituli nostri, ad honorem dei et ecclesie Christi factam, statuimus perpetuis temporibus inuolabiliter obseruandam, auctoritate, dignitate et potestate ecclesie Eboracensis, nostra et successorum nostrorum in omnibus semper salua. In cuius rei perpetuam firmitatem sigillum nostrum, necnon et sigilla capituli nostri Eboracensis, ac dictorum prioris et conuentus presentibus sunt appensa. Datum et actum vj. kal' Marcii, anno domini millesimo CC<sup>o</sup>LX<sup>o</sup> septimo.

24 Feb.  
1267/8.

[*post* 1265.]

*M. mem. 6  
recto (11).*

Howden:

a clerk with  
good refer-  
ences is un-  
willing to  
travel in  
winter from  
his home  
except to  
receive the  
chantry of St.  
Mary, which  
he greatly  
desires.

137. Salutem. Quod me apud dominum N. promouere et ad aliquod beneficium optinendum vestra, in quantum potuit, ingenuitas et maxima benignitas [...], meritis meis non exigentibus, gracias vobis refero infinitas, et quod remunerare nequid mea possibilitas in terris, vobis remuneret rex regum in paradisi deliciis. Cum iam sit hiemps proxima, et equus michi sit et rerum mobilium possessio, et cum locum michi non specificauerit dominus N. quo morari debeam, nouerit sanctitas vestra quod locum ubi dego reli[n]quere, et res meas alieno committere, et locum incertum adire, michi videtur difficilimum. Nouerit eciam dileccio vestra, postquam sacerdotalem suscepi ordinem, iam x. annis euolutis cum vno patrono continue me fuisse moratum, et quod de multis et competentioribus locis tocus patrie mee copiosa et voluntaria michi administratur electio. Verum, quia vellem tranquillam vitam ducere absque cura animarum et cupiditate seculari inhonesta, affectaui illam porciunculam, que contingit altare virginis in tali ecclesia, vt deo et beate virgini in eadem ecclesia, vita comite, possem deseruire; quod, si ita esset, omnia mea sub custodia ponerem, et ad dominum N. gratanter accederem. Valete.

13 Sept. 1269.

138. [Ordinacio vicarie de Estrington'.]<sup>1</sup> a

S, fo. 67 (2).

Vniuersis Christi fidelibus presens scriptum visuris uel auditoris, Walterus, miseracione diuina *Eboracensis* archiepiscopus, Anglie primas, salutem in domino sempiternam. Cum taxacio vicarie parochialis ecclesie de Hestringtona, nostre diocesis, in vsus proprios virorum religiosorum prioris et conuentus *Dunelmensium* deputate, per ordinacionem nostram sit nobis in eadem reseruata, nos, pensatis eiusdem ecclesie prouentibus, ad perpetuam memoriam ita statuimus et ordinamus, quod perpetuus eiusdem ecclesie vicarius, a dictis religiosis nobis et successoribus presentandus, qui eidem ecclesie honeste deseruiet et onera sustinebit *ordinaria*, totum alteragium eiusdem ecclesie preter decimam lane et agnorum integre percipiat et habeat, vna cum tota terra eiusdem ecclesie, saluo predictis priori et conuentui manerio suo de Neuland'. Et vt hec nostra constitucio et ordinacio robur optineant perpetue firmitatis, presens scriptum sigilli nostri munimine roborauimus. Dat' apud Mukclynggeswyk', Idus Septembris, anno domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> nono.

Eastrington:

Walter Giffard, archbishop of York, settles the endowment of the perpetual vicarage.

21 March 1268/9.

139. Littera presentacionis.

S, fo. 19 (1)

Reuerendo patri in Christo, domino *Waltero*, dei gracia archiepiscopo *Eboracensi*, Anglie primati, deuoti filii sui, Hugo, prior, et conuentus *Dunelmensis*, salutem<sup>1</sup> cum omni honore et reuerencia.<sup>2</sup> Venerabili paternitati uestre per presentes litteras patentes presentamus dilectum clericum nostrum, Iohannem de Merue, ad ecclesiam de Holteby, que uacat per resignacionem Nicholai de Wodeford',<sup>a</sup> qui eandem ex uestre paternitatis gracia habuit commendatam, et spectat ad presentacionem nostram; omni qua possumus deuocione uestram exorantes excellenciam, quatinus eundem Iohannem ad dictam ecclesiam ad presentacionem nostram benigne, si placet, admittere uelitis, salua nobis debita, consueta et antiqua pensione xxv. solidorum, annuatim percipiendorum de eadem. In cuius rei testimonium &c. Dat' Dunelmi, xij. Kal' Aprilis, anno graciae M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup>VIII<sup>o</sup>. Valete.

Holtby:

Prior Hugh and convent present to Walter Giffard, archbishop of York, John de Merue, clerk, for admission to the church after the resignation of Nicholas de Wodeford.

<sup>1</sup> Title from S<sup>2</sup>.<sup>2</sup> Erasion in MS.

[1267.]

140. Littera presentacionis.<sup>1 a</sup>

S. fo. 18v (2);  
M, mem. 3  
recto (12);  
L, mem. 2  
recto (10).

Kirkby  
Sigston:

Prior Hugh  
and the  
convent  
present to  
Walter  
Giffard,  
archbishop of  
York, Hervey  
de Derling-  
ton, clerk, for  
ordination  
and admis-  
sion to the  
church on the  
death of  
Reginald de  
Frou.

Reuerendo patri in Christo, domino *Waltero*, dei gracia archiepiscopo<sup>2</sup> *Eboracensi*, Anglie primati,<sup>3</sup> deuoti filii *Hugo*, prior, et conuentus *Dunelmensis* ecclesie, salutem, et tanto patri debitam cum omni deuotione reuerenciam.<sup>4</sup> Dilectum nobis in Christo, *Heruicum* de *Derlingtona*,<sup>5</sup> clericum, promouendum et ordinandum ad titulum ecclesie de *Kyrkebi Siggeston*,<sup>6</sup> per mortem *Reginaldi*,<sup>7</sup> quondam<sup>8</sup> rectoris eiusdem, uacantis, que de nostro patronatu fore dinoscitur, vobis tenore presencium presentamus; paternitatem uestram affectuose rogantes, quatinus ipsum ordinare et ordinatum instituere dignemini canonice in eadem, ipsius ecclesie custodiam ad nostram presentacionem sibi caritatis intuitu interim ex gratia committentes, salua nobis libera facultate alium presentandi, si contingat dictum *Heruicum*<sup>9</sup> ad hanc gratiam forsitan non admitti, salua etiam nobis debita, consueta<sup>8</sup> et antiqua pensione decem<sup>10</sup> marcarum annuatim percipiendarum. In cuius rei testimonium presens scriptum sigillo capituli nostri fecimus communiri. Dat' *Dunelmi* &c. Valeat reuerenda paternitas uestra, quam dominus ecclesie sue conseruet incolumem per tempora longa.<sup>11</sup>

1263.

S. fo. 23v (5); 141. De pensione reddenda.<sup>12</sup>

M, mem. 4  
recto (8).

Welton:

Prior Hugh  
demands the  
payment  
from the  
rector of the  
pension due  
from the  
church.

*Hugo*, prior ecclesie<sup>13</sup> *Dunelmensis*, rectori de *Welletona*,<sup>14 a</sup> uel eius procuratori, salutem in domino. Mandamus uobis, quatinus mittatis nobis per latorem presentium pensionem, nobis debitam de ecclesia de *Welletona*,<sup>15</sup> de termino Pentecostes anni domini M<sup>cc</sup><sup>mi</sup>LX tercii, videlicet xx. solidorum;<sup>16</sup> eidem latori super hoc fidem tanquam nobis<sup>17</sup> adhibentes indubitatum. Val'.

<sup>1</sup> Littera tituli, M; no title, L.

<sup>2</sup> archiepiscopus, MS.

<sup>3</sup> primit, MS.

<sup>4</sup> Reu. patri &c., H. prior et conuentus &c., M; Reu. patri in Christo &c., N. de C., salutem, L.

<sup>5</sup> N. de N., M; A. de B., L.

<sup>6</sup> de N., M; de C., L.

<sup>7</sup> domini A., M; domini D., L.

<sup>8</sup> Om., L.

<sup>9</sup> dictum A., M, L.

<sup>10</sup> tot, M.

<sup>11</sup> In cuius rei &c. Dat' &c., M., L.

<sup>12</sup> Littere pro pensione, M.

<sup>13</sup> Om., M.

<sup>14</sup> rect. ecclesie de N., M.

<sup>15</sup> ecclesia predicta, videlicet v. marc., M.

<sup>16</sup> anni graciae &c., M.

<sup>17</sup> latori tanquam nobis in hac parte fidem adhib., M.



1263.

142. De recepta pensione.<sup>1</sup>

Vniuersis ad quos presens scriptum peruenerit, Hugo, prior *Dunelmensis* ecclesie, salutem in domino.<sup>2</sup> Noueritis nos recepisse per manum procuratoris ecclesie de Welletona<sup>3</sup> pensionem nobis debitam de eadem ecclesia, videlicet xx. solidorum argenti,<sup>4</sup> de termino Pentecostes anni<sup>5</sup> gracie M<sup>i</sup>CC<sup>i</sup>LXIII.<sup>6</sup> In cuius rei testimonium [presenti scripto sigillum nostrum fecimus apponi. Valete.]

S, fo. 23v (6);  
M, mem. 4  
recto (9).

Welton:

acquittance  
of the con-  
uent for the  
pension of £1.

11 Oct. 1265.

143. Littera presentacionis.

Uiris uenerabilibus et discretis, domino *Willelmo*, decano, et capitulo Sancti Petri Ebor' ecclesie cathedralis, Hugo, prior, et conuentus ecclesie *Dunelmensis*, salutem cum omni reuerencia et honore. Reuerendo collegio uestro per presentes litteras patentes presentamus dilectum et fidelem clericum nostrum, magistrum Lambertum Geruim, ad ecclesiam de Welleton', que uacat per mortem magistri Iohannis, quondam rectoris eiusdem, et spectat ad presentacionem nostram; omni qua possumus deuocione supplicantes, quatinus eundem *Lambertum* ad dictam ecclesiam, salua nobis debita, consueta et antiqua pensione annua quadraginta solidorum in eadem, ad presentacionem nostram admittere uelit, quod vestrum est in hac parte facturi absque nostrarum preiudicio libertatum. In cuius rei testimonium presens scriptum sigillo capituli nostri fecimus communiri. Dat' Dunelmi, v. Id' Octobris anni gracie M<sup>i</sup>CC<sup>mi</sup> sexagesimi VI. Valeat in eternum in domino.

S, fo. 19 (3).

Welton:

Prior Hugh  
and the con-  
uent present  
to the chapter  
of York  
Mr. Lambert  
Gervim for  
admission to  
the church  
after the  
death of  
Mr. John de  
Brumpton.

12 Nov. [1265.]

144. Littera resignacionis.

Reuerendo patri in Christo, domino *Roberto*, dei gracia *Dunelmensi* episcopo,<sup>7</sup> deuotus filius Lambertus Germin, clericus, salutem et obedienciam cum omni subieccione famulatum. Quia ecclesia de Welleton', *Eboracensis* diocesis, cum cura animarum sum adeptus, et in diuersis ecclesiis huius-

S, fo. 21v. (1).

Welton:

Lambert  
Germin  
resigns to  
Robert  
Stitchill,  
bishop of  
Durham, the  
church of  
Kimble-  
worth,  
because he  
has been  
appointed  
rector of  
Welton, and  
asks him to  
admit the  
new  
presentee.

<sup>1</sup> Om. title, M.<sup>2</sup> Omnibus &c., M.<sup>3</sup> de N., M.<sup>4</sup> vid. v. marc., M.<sup>5</sup> anno, MS.<sup>6</sup> gracie &c., M.<sup>7</sup> episcopus, MS.

[modi] cure uacare non possum, ideo ecclesiam de Kymel<sup>1</sup>, quam michi cum<sup>1</sup> totali cura commisistis, in manibus uestre reuerende paternitatis resigno; vobis humiliter supplicans, quatinus clericum, per capitulum *Dunelmense* uobis [presentatum], ad eandem presentationem benigne admittere dignemini. In cuius resignacionis testimonium presentibus litteris patentibus sigillum [meum] apposui. Et quia sigillum meum apud uos non est notum, magister *Robertus* de Sancta Agatha, archidiaconus *Dunelmensis*,<sup>a</sup> ad meam instanciam presentibus sigillum suum apposuit. Val' &c. Dat' in crastino Sancti Martini anni supradicti.

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e. DIOCESE OF YORK.

*M. mem. 1*  
*recto (14).*

Normanton-  
upon-Soar:

agreement  
by which the  
church is  
farmed from  
the parson,  
Mr. Leonard,  
or 10 m.  
annually.

144a. Littere obligatorie pro firma ecclesie.

Omnibus &c. Nouerit vniuersitas uestra quod nos tenemur soluere annuatim x. marcas bonorum et legalium sterlingorum magistro Leonardo de N., persone [Normanton'] super Sore, vel certo procuratori suo, ubicunque voluerit in Anglia de predicta ecclesia, quam nobis in tota vita sua ad firmam dimisit. In cuius rei &c.

[? 1258-65.]

*S. fo. 18 (5);* 145. Littera presentacionis.<sup>2</sup>

*M. mem. 3*  
*recto (6).*

York,  
All Saints,  
Ousegate:

*fo. 18v.*

Prior Hugh  
and the  
convent  
appoint  
Nicholas de  
Hextildsam,  
hostiller of  
the house,  
proctor to  
present  
Sir Adam de  
Derlington,  
studying at  
Orleans, to  
G., archbishop  
of York, for  
admission as  
rector after  
the resigna-  
tion of  
Sir Gilbert.

Reuerendo patri in Christo, domino G., dei gratia archiepiscopo *Eboracensi*, Anglie primati, deuoti filii sui, *Hugo*, prior *Dunelmensis* ecclesie, et eiusdem loci conuentus, salutem, / et tanto patri debitam cum omni deuocione reuerenciam.<sup>3</sup> Dilectum nobis fratrem in Christo et commonachum, dominum *Nicholaum* de *Hextildsam*, hostilium *Dunelmensem*,<sup>4</sup> a procuratorem nostrum de vnanimi assensu omnium constituimus ad presentandum uobis dilectum et fidelem clericum nostrum, dominum Adam de *Derlington*,<sup>5</sup> Aurel' studentem, ad ecclesiam Omnium Sanctorum in ciuitate *Eboracensi*,<sup>6</sup> que uacat per cessionem<sup>7</sup> et resignacionem domini Gilberti,<sup>8</sup> quondam eiusdem ecclesie rectoris, et pertinet ad presentacionem nostram; omni qua possumus affec-

<sup>1</sup> non, *MS.*

<sup>2</sup> Procuratoria ad presentandum.  
aliquem absentem ad ecclesiam, *M.*

<sup>3</sup> Reu. patri in Christo &c., *M.*

<sup>4</sup> dominum N. de N., *M.*

<sup>5</sup> A. de N.; uel magistrum, *interlined*, *M.*

<sup>6</sup> ecclesiam talem, *M.*

<sup>7</sup> uel mortem, *interlined*, *M.*

<sup>8</sup> domini A., *M.*

cione uestram exorantes excellenciam, quatinus, si placet, dictum dominum *Adam* ad eandem ecclesiam per dictum procuratorem ad presentacionem nostram, licet absentem, benigne admittere dignemini, salua nobis debita &c. In cuius rei testimonium presentes litteras patentes sigillo capituli nostri uobis transmittimus signatas. Dat' &c. Valeat &c.<sup>1</sup>

## f. DIOCESE OF LINCOLN.

[1263.]

146. Anno supradicto, *vigilia* Omnium Sanctorum, resignauit Nicholaus, capellanus, ecclesiam Sancte Marie de Bennewerk' in *Stanfordia*, et presentatus est Hugo Warner ad eandem sub formis prescriptis.<sup>a</sup> Littera presentacionis, vt supra, salua nobis pensione xx. solidorum annuorum.

*S. fo. 21v. (2).*  
Stamford,  
St. Mary  
Binewerk:

Littera resignacionis.

Venerabili in Christo patri, domino *Ricardo*, dei gracia *Lincolniensi* episcopo, deuotus suus Nicholaus de Dun', capellanus, salutem,<sup>2</sup> et promptissimum cum omni reuerencia ad beneplacita famulatum. Per presentes litteras meas patentes in manus venerabilis paternitatis uestre omne ius, quod habui uel habere potui in ecclesia Sancte Marie de *Stanfordia*, que dicitur Bennewerk', per dominorum meorum, uirorum religiosorum prioris et conuentus *Dunelmensium*, patronorum eiusdem ecclesie, presentacionem et uestram ad eandem admissionem et institutionem, resigno, et eiusdem corporali possessioni plenarie in omnibus cum pertinenciis cedo; omni qua possum affeccione celsitudinem uestram exorans,<sup>3</sup> quatinus, si placet, meam resignacionem et cessionem benigne, si placet, uelitis admittere, et me ab omni nexu spiritualium et temporalium, dictam ecclesiam contingencium, ad meam instanciam penitus absoluere. In cuius rei testimonium presentes litteras, sigillo meo signatas, uobis mitto patentes. Dat' Dunelmi &c.

Nicholas de  
Durham  
resigns the  
church to  
Richard  
Gravesend,  
bishop of  
Lincoln,  
before the  
presentation  
of Hugh  
Warner.

Set quia sigillum predicti *Nicholai* episcopo *Lincolniensi* ignotum fuit, noluit ei[u]s resignacionem admittere absque aliquo sigillo autentico; vnde iterata fiebat ei littera sub hac forma:

Littera resignacionis.

<sup>1</sup> In cuius &c. Valeat &c. Dat' &c., *M.*

<sup>2</sup> et alterum, *MS.*

<sup>3</sup> exoram, *MS.*

The bishop of Lincoln, as he did not know Nicholas's seal, would not accept the resignation; and so another letter was sent, bearing in addition the seals of Prior Hugh and of Robert, archdeacon of Durham.

Reuerendo patri &c., ut supra. Reuerende paternitati uestre significo et protestor me omne ius, quod habui &c., resignasse, et eiusdem corporali &c. cessisse; quapropter celsitudinem uestram omni qua possum dilectione exoro, quatinus, si placet, dictam resignacionem meam, in manus dilecte paternitatis uestre factam, ratam habere, et cessionem benigne uelitis admittere, et me ab omni &c. penitus absoluere. Et quia sigillo meo, tanquam uobis minus noto, fidem minime adhibuistis, presentibus litteris meis patentibus sigilla venerabilium uirorum domini *Hugonis*, prioris *Dunelmensis*, et magistri *Roberti*, archidiaconi eiusdem loci,<sup>b</sup> una cum sigillo meo in testimonium premissorum uel ad probacionem eiusdem apponi procuraui. Dat' &c. Val' &c.

#### V. CHAPELS AND CHANTRIES.<sup>a</sup>

*M. mem. 4  
recto (7).*

The convent grants  
Sir R. de  
Clifford? the  
right to have  
an oratory at  
his house *de  
Mora*.

Conditions  
attached to  
the grant.

147. Littera de capella edificanda concessa, seu cantaria.

Omnibus &c. Nouerit vniuersitas vestra nos diuine caritatis intuitu pariter et diuini obsequii promouendi affectu concessisse, et hac presenti carta nostra confirmasse domino R. de N.<sup>a</sup> licenciam construendi quoddam oratorium in curia sua de Mora<sup>b</sup> tantum in vita sua, ubi ipse et libera familia sua et hospites ad tempus recepti, exclusis parochianis matricis ecclesie de N., diuinis celebrandis quietius possint interesse; saluo quod dictus R. et familia sua quinquies per annum matricem ecclesiam suam de N. personaliter visitabunt, nisi racionabiliter fuerint impediti, scilicet diebus natalis domini, purificationis beate virginis, pasce, pentecostes, et festiuitatum dicte matricis ecclesie, et quociens continget apud matricem ecclesiam sole[m]pnem predicacionem fieri, uel negocium tangens matricem ecclesiam ibidem tractari, dummodo hoc eis innotuerit. Et sciendum quod dictus R. inueniet sumptibus propriis cappellanum et clericum, qui pro tempore dicte capelle deseruiant, et prouidebit dicte capelle in vestimentis, libris, calice et vino, candelis et in omnibus necessariis aliis. Turabit autem capellanus, pro tempore in dicta capella diuina celebraturus, fidelitatem priori de N., qui pro tempore fuerit, quod fideliter respondebit ei de omnibus oblacionibus et obuencionibus, de dicta capella prouenientibus, ita quod capellanus ille ad opus proprium nichil retinebit, et quod alios parochianos dicte matricis ecclesie ad dictam capellam non admittet, unde



dicta matrix ecclesia in alico sit perdens. Preterea nolumus ut ratione istius concessionis aliquod aliud sacramentum in dicta capella celebretur. Si uero conti[n]gat dictum R. seu etiam capellanum, pro tempore in dicta capella ministraturum, contra tenorem presentis scripti in alico venire in preiudicium et dispendium matricis ecclesie, licebit nobis, omni appellacione, contradiccione et iuris canonici et ciuilibus remedio remotis, dictum capellanum, pro tempore in eadem celebrantem, suspendere donec matriçi ecclesie in omnibus fuerit plenarie satisfactum.

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1263.

148. Memorandum quod anno domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> tercio concessa est Stephano de Hoton' cantaria in capella sua de Hoton' in uita sua tantum, sub hac forma cum sigillo prioris, 'Omnibus &c., *Hugo*, prior, salutem' &c., ut supra in littera domino R. de Clifford concessa. Pro hac concessione promisit dictus *Stephanus* se daturum vnā libram cere matriçi ecclesie sue de Heselden annuatim.<sup>a</sup>

*S.*, fo. 25 (4).

Memorandum that Stephen de Hoton was granted permission to have a chantry in his chapel at Hutton-Henry, under the above form.

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1263.

149. Memorandum quod abbas de Sancta Agatha tenetur inuenire capellanum unum, diuina celebrantem in capella de Melsamby, pro c. solidis annuis, quos recipit de hac capella.<sup>a</sup> Ad hoc obligauit se scripto suo sub pena xx. solidorum, fabrice ecclesie *Dunelmensis* soluendorum. Item, recepit super hoc ammonicionem a priore *Dunelmensi* anno gracie M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup>III, post exaltacionem sancte crucis, ad instanciam Thome de Hurchewrth.

*S.*, fo. 25 (5).

Memorandum that the abbot of St. Agatha, Easby, has been admonished to maintain the due service of a chaplain in the chapel at Melsomby.

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## V. THE TEMPORALITIES.

### i. THE TENANTS.

150. Cum non modica pietatis opera a fidelibus censeatur religionis [et] hospitalitatis ut<sup>1</sup> eleuetur sustentacioni curam impendere, felices dicendi sunt heredes, qui pia loca, ubi hec frequencius et feruencius ab antecessoribus suis ditata noscuntur uigere, in tranquillitate et quiete nituntur fouere. Hinc quod, cum domus nostra, ab antecessoribus vestris deo

*M.*, mem. 5 recto (4).

Plea for good behaviour from the feudal patron of a cell.

<sup>1</sup> et, *MS.*

et Sancto Cuthberto, priori et monachis in puram et perpetuam elemosinam [et] caritatem collata, ad prescripta caritatis opera sit fundata, vestram in domino rogamus seu hortamur dilectionem, quatinus, ex quo heres proximior et dominus capitalis predictæ domi estis, elemosine ipsorum collacioni, caritatem<sup>1</sup> ratam et gratam in omnibus habentes, sicut de iure esse debetis tutor et defensor predictæ domus, sitis fauorabiles et propicii; non permittentes, quantum in vobis est, dictam domum vel eius custodes a statu quietis per huiusmodi labores deici, et per consequens animas in purgatorio laborantes debitis suffragiis priuari. Situri pro certo quod, si ad hec mala inferenda aliquem videremus armatum et intentum ad illius propositum eneruandum, tocius capituli *Dunelmensis* consilium et auxilium offunderemus, ex quo nobis nichil ad legitimam deest feodacionem secundum tenorem priuilegiorum a papis et regibus specialiter super dicte domus libertatibus cum pertinenciis et cartarum fundatorum optent[or]um. Igitur, si ex accidentia inter vos et dicte domus procuratorem aliqua super libertatibus orta sit contencio, parti vtrique minans labores et expensas, ob reuerenciam Beati Cuthberti et nostram ad ipsam prosequendam supersedere velitis; quam supplicationem vobis, eo quod de iusticia reportanda formidamus, minime facimus; set quia ueram<sup>2</sup> amicitiam inter nos et uos et alios patronos nostros fouere intendimus. Vnde, si placet, illud negocium effectui mancipare velitis, quo a deo et hominibus gratias reportare mereamini, et nostris et vestris expensis parcere possitis.

S, fo. 123.

29 Sept. 1278.  
Prior Richard  
de Claxton  
sells the  
marriage of  
John, son and  
heir of David  
de Paxton, to  
Sir Thomas  
Ranulph.

151. Anno<sup>3</sup> ab incarnatione domini millesimo CC septuagesimo octauo ad festum Sancti Michaelis facta fuit hec conuencio inter dominum *Ricardum*, priorem *Dunelmensem*, ex parte vna, et dominum Thomam Ranulphum, militem, ex altera,<sup>a</sup> videlicet quod dictus prior concessit et vendidit dicto domino Thome maritagium Iohannis, filii et heredis Dauid de Paxton',<sup>b</sup> pro xl. marcis bonorum et legalium sterlingorum, ita quod, si contingat dictum heredem ante legitimam etatem non maritatum, aut maritatum sine prolis procreacione in fata decedere, maritagium propinquioris heredis eiusdem absque contradiccione habebit; quas quidem

<sup>1</sup> caritatem, MS.

<sup>2</sup> i over n in MS.

<sup>3</sup> The document is written in a fifteenth-century hand.

xl. marcas prenominate bona fide promisit dictus Thomas et tenetur soluere dicto priori vel eius procuratori in villa de Suthberewic terminis subscriptis absque cauillatione, contradiccione vel vltiori dilacione, videlicet medietatem in festo Sancti Mathie apostoli eiusdem anni et aliam medietatem ad festum assumptionis Beate Marie anno domini millesimo CCLXX noni. Et, si contingat dictum dominum Thomam solucione dicte peccunie, vt premissum est, aliquo termino in parte vel in toto deficere, omnia dampna et grauamina, que dictus prior vel eius procuratores sustinuerit vel sustinuerint, et expensas, si quas ob hoc fecerint, vna cum principali debito eisdem restaurabit ac refundet; super quibus simplici iuramento cuiusuis eorum fidem adhibebit absque alterius onere probacionis. Ad premissa fideliter obseruanda et perficienda dictus dominus Thomas fide media se et omnia bona sua mobilia obligauit, subiciens se et dicta bona voluntati et cohercioni cuiuscunque iudicis ecclesiastici vel secularis, quem dictus prior vel aliquis procurator ipsius eligere voluerit, vt possit eum de plano et absque strepitu iudiciali per quamcumque voluerit cohercionem compellere ad omnium et singulorum premissorum plenariam obseruanciam, quandocumque in solucione dicte peccunie termino statuto defecerit. Renuncians in premissis omni iuri<sup>2</sup> auxilio canonico et ciuili, maxime vero omnibus litteris regiis tam de cursu quam de gracia impetratis seu impetrandis, et omnibus priuilegiis et indulgenciis cruce signatis indultis et indulgendis, et omnibus omnino, que ei in hac parte prodesse poterunt, et dicto priori vel eius procuratoribus in aliquo obesse. Ad maiorem vero securitatem dicto priori faciendam predictus dominus Thomas eidem subscriptos inuenit fideiussores, videlicet dominum Petrum de Mordyngton', militem, Philippum de Rydall' et Walterum de Barton', burgenses de Berewyc'. Qui, si dictus dominus Thomas in aliquo prescriptorum defecerit, ad omnia et singula complenda et perficienda principales se constituere debitores quilibet in solidum, se et bona sua modo subscripto subiciendo, ac pro se in omnibus et per omnia pari modo renunciando. In cuius rei testimonium vni parti huius scripti cyrographati, penes dictum priorem residenti, vna cum sigillo dicti domini Thome apposita sunt sigilla dictorum fideiussorum; et alteri parti, penes dominum Thomam commoranti, sigillum dicti domini prioris est appensum.

24 Feb.

15 Aug.

fo. 123v.

<sup>2</sup> iure, MS.

[? 1286.]

*L. mem. 1  
recto (13).*

Prior Hugh  
de Derlington  
orders Henry  
de Horne-  
castre, prior  
of Colding-  
ham, to  
resume the  
wardship of  
the heirs of  
Paxton,  
alienated  
to his rela-  
tives by Prior  
Richard de  
Claxton.

152. Hugo, prior Dunelmensis, dilecto in Christo filio, domino Henrico, priori de Coldi[n]gham, salutem.<sup>a</sup> Ex pastoralis cura, hiis ultimis diebus qualitercunque nostre imbecillitati ultra vires imposita, astricti tenemur ecclesie nostre bona, vndecunque contingencia, congregata seruare, et dispersa ad statum debitum reuocare. Cum itaque omnino tam ex factis predecessorum nostrorum, quam<sup>1</sup> ex frequenti fratrum obloquio, nos persepius sollicitante, satis intellexerimus et audierimus heredum tenencium prioratus *Dunelmensis* maritagia tantum ad prioris pro tempore dispositionem et largicionem deuolui, saluis omnino scaccario eiusdem exitibus custodie terrarum ipsorum heredum usque ad eorum legitimam etatem, tanquam de iure et consuetudine vera ad ipsum scaccarium specialiter spectantibus.<sup>b</sup> Et venerabilis pater, predecessor noster, Ricardus, quondam prior, in non modicum ipsius et successoris sui eiuscunque dispendium et iacturam, immo manifestam domus lesionem, nimia carnali affectione illectus, E. fratri suo et Iordano genero suo custodiam terre de Paxton' minus rationabiliter contulerit. Talia sub dissimulacione transire nolentes, sicut nec debemus, vobis et procuratoribus nostris in partibus vestris mandamus, firmiter iniungentes, quatinus de exitibus terre heredum de Paxton', non obstante cuiuscunque tenentis reclamacione seu contradiccione, nomine nostro a die *recepçionis* presencium curam totaliter recipistis, de eorum exituum proficuis et emolumentis, tanquam aliorum bonorum nostrorum in partibus illis nos specialiter contingencium, nobis ex integro responsuri; et hoc nullo modo omittatis.

*S. fo. 19v (6); M. mem. 5  
recto (13).* 153. Littera manumissionis.<sup>2 a</sup>

Manumission  
of a serf.

Omnibus &c., talis, salutem. Noueritis nos ad instantiam talis amici nostri<sup>3</sup> manumisisse, et a seruitute in libertatem perpetuam<sup>4</sup> uocasse W. de illo loco<sup>5</sup> et totam sequelam suam imperpetuum. Quare uolumus<sup>6</sup> et firmiter precipimus, quod dictus W.<sup>7</sup> et omnes et singuli de sequela sua in se defendendo, in alios conueniendo et attestando, in duellum inuadiendo [*sic*], et in omnibus contractibus nominatis et

<sup>1</sup> quod, *MS.*

<sup>2</sup> De natiuo manumittendo, *M.*

<sup>3</sup> instanciam *N.*, *M.*

<sup>4</sup> libertate perpetua, *M.*

<sup>5</sup> uocasse talem, *M.*

<sup>6</sup> *Om.* Quare uolumus, *M.*

<sup>7</sup> *N.*, *M.*



innominatis liberi admit/tantur imperpetuum, ubicunque<sup>fo 20</sup> liberi et ingenui<sup>1</sup> locum poterunt<sup>2</sup> optinere. Et ne nos uel aliquis<sup>3</sup> successorum nostrorum dictum W.<sup>4</sup> uel aliquem de sequela sua ad aliquam consuetudinem uel exaccionem seruilem decetero in terra nostra uel extra compellere possit, aut hanc manumissionem uel libertatis dacionem infringere uel aliquo modo<sup>5</sup> infirmare, nos, pro nobis et successoribus uel heredibus<sup>6</sup> nostris, presens scriptum<sup>7</sup> sigillo nostro roborauimus. Testibus [&c.].

[1258-73; 1286-90.]

154. Vniuersis &c.,<sup>a</sup> Hugo, prior Dunelmensis, salutem. Noueritis quod cum dilectus nobis in Christo, magister R. de N., carpenterius, in nostro et ecclesie nostrae seruicio fideliter ac diligenter a puericia dies suos duxerit laboriosos, nos eiusdem R., iam senio confecti, aliquantulum propellere indigenciam, suosque labores digna satisfaccione recompensare cupientes, volumus ac de vnanimi consensu et voluntate totius nostri conuentus concedimus per presentes, quod prefatus magister R. per singulas ebdomadas, quoad uiixerit, percipiat de celerario Dunelmensi, qui pro tempore fu[er]it, viij, panes monachales et viij, lagenas ceruisie competentis, tria eciam fercula carnis et iiij, fercula piscis, tres insuper vlnas de russeto uel blueto annuatim de camera nostra uel successoris nostri cuiuscunque. Et si contigerit ipsum R. a die confectionis presencium nostro vacare seruicio, statuimus vt per singulas ebdomadas, quibus elaborauerit, ut predictum est, viij, denarios accipiat, ita tamen quod cessante labore cesset et hec impensa. Ut hec nostra concessio prefato R. omni tempore vite sue firma perseueret et illesa, presentes litteras sigillo nostro signatas eidem fieri fecimus patentes. Dat' [&c.].

L. mem. 1  
dorse (4).

Prior Hugh  
grants a  
corrody to  
the convent's  
carpenter.

[1258-73.]

155. Littera conductus.<sup>8</sup>

Uniuersis ad quos &c.,<sup>9</sup> Hugo, [prior] &c. Noueritis Iohannem,<sup>10</sup> latorem presencium, fidelem nostrum esse, qui,

S, fo. 26 (1);  
M, mem. 5  
recto (9)

<sup>1</sup> ingenii, M.

<sup>2</sup> possunt, M.

<sup>3</sup> Add heredum, MS.

<sup>4</sup> N., M.

<sup>5</sup> alico, M.

<sup>6</sup> Om. uel hered., M.

<sup>7</sup> scripto, M.

<sup>8</sup> Om. title, M.

<sup>9</sup> Vniuersis &c., M.

<sup>10</sup> I., M.

Prior Hugh grants a passport for a horse-drover.

ad negocia<sup>1</sup> quedam expedienda ad partes australes proficiscens, quosdam equos suos<sup>2</sup> secum ducit, de quibus commodum suum ibidem facere proponit. Pro quo vniuersitatem uestram duximus rogandam et exortandam in domino, quatinus eundem *Iohannem*, cum per uos transitum fecerit cum dictis equis et ceteris catallis suis, libere ac pacifice transire permittatis. In cuius &c.<sup>3</sup>

[? c. 1290.]

*M, mem. 10 dorse.*

Prior Richard de Hoton issues a passport for a servant of the convent.

156. Vniuersis Christi fidelibus presentes litteras inspec-turis, Ricardus, prior *Dunelmensis*, salutem in domino sempiternam. Nouerit vniuersitas uestra Rogerum de B. nostrum fidelem esse seruientem, quem versus partes Lyndeseye pro negociis nostris expediendis destinamus; propter quod vniuersitatem uestram in domino requirimus, quatinus eundem, cum per uos transsitum fecerit, si placet, non molestari permittatis seu in alico impediri, quominus exequi poterit quod a nobis habet in mandatis. Valete in Christo. Dat' et cetera.

## ii. ACCOUNTS.

[post 1274.]

*M, mem. 1 dorse (2).*

The revenues of the sacrist.

156a. Summa reddituum sacriste.  
In Dunelmo; de domibus in Aluertongate annuatim, xxiijs. iiij*d*.  
De croftis extra uillam et aliis domibus in Suthstret, Framuelgate, Clayworth', Eluet et Foro, vii. ijs. x*d*.  
De molendino Lande Dei, vis. Item de firmis Lande Dei cum Scola de Ayop, xixs. x*d*. ob., *excepto* manerio, et v, caria et xxxvj, operationes in autumpno.  
De Hudebrome, xs.  
De Brandon', xviiis.; de Colpyel, xliijs.; de molendino de Warkwortha, xxs.; de Wytewrth', vii*l*.; de Wodum, vis. viij*d*.; de Thorneton' in strata, iijs.  
De terra de Yuestan, xs.  
De domino Ranulfo de Cotam, vjs. viij*d*.; de Emothille, xiiis. iiij*d*.; de Mayne de Norham, xvi*d*.; de Goly, vis. viij*d*.; de Roberto de Nunewykathornes, vjs. viij*d*.; de

<sup>1</sup> negociandi causa *interlined*, *M*;  
negociandi cum *integrally in text*,  
*MS.*

<sup>2</sup> suos *repeated*, *M*.  
<sup>3</sup> *Om.*, *M*.

terra de Herteburn' ad pontem de Teyse, xs.; de domibus in Eboraco, viij*li*. xs.; de Holteby cum pertinenciis, lxxiis. ijd., cum xxij, operacionibus in autumpno ad metendum et fenum leuandum.

Item de pensionibus.

De Heygton', lxxvs. viij*d*.; de Mydelham, xls.; de Rungeton', xls.; de Ditenhisalle, xls.

De denariis fumalibus, vi*li*. xviii*s*. id.

De ecclesia de Bywelle, xxxiiij*li*. xiijs. iiij*d*.

De ecclesia de Edelagham, xxvi*li*. xiijs. iiij*d*.

Summa, cix*li*. xijs. viij*d*. ob.<sup>1</sup>

Preter hec de quadam domo in Claypworth', que uocatur le Gildehalle, vis., que assignantur fabrice ecclesie Dunelmensis. Est inseri.<sup>2</sup>

Item iijs. de domo quo[n]dam Michaelis textoris, que similiter assignantur fabrice.

De domo Ade de Bradeley in Ballio, xiid.

De Nicholao granetario pro ij domibus iuxta portam borealem, xiid.

Item de terra super . . . , vid.

De Iohanne filio Gilberti prepositi pro prato iuxta Milneburn', i libra cumin[i]; de insula,<sup>3</sup> xiid.

1276-7.

156b. Firma annua de Hemingburg'.

De termino Sancti Martini anni gracie MCCLXX sexti summa totalis, xii*li*. id. ob. *M, mem. 5, dorse (6).*

De termino Pentecostes proximo sequens [*sic*], xii*li*. ijs. *The annual farm of Hemingbrough, etc.*  
vd. ob.

De molendino eiusdem, ii marce xiid. ad quemlibet terminum.

Pro operibus ad festum Sancti Michaelis tantum, xxiis. viid.

De gallinis ad nathale tantum, xs.

Firma de Brakenhalle, xxiijs.

Item de domibus in Houedena, xs.

Item de la Wodehale, viis. vid.

<sup>1</sup> Summa . . . , in the margin.

<sup>3</sup> Doubtful, MS. rubbed.

<sup>2</sup> reading doubtful; ? infieri, uerifieri.

## VI. ECCLESIASTICAL RELATIONS.

## i. THE CONVENT AND THE BISHOP.

[? 1273-85.]

*L., mem. 2  
recto (r).*

The bishop grants the late prior the right to hear the confessions of the monks, and the right to choose a confessor for himself.

See no. 92.

Prov. XXIV.  
II.

157. Cum iam plurimis annis et multis temporibus retro actis curam et sollicitudinem prioratus *Dunelmensis* gerens, ipsum prioratum strenue et circumspecte in spiritualibus et temporalibus secundum regulam Beati Benedicti laudabiliter rexeris et honeste,<sup>a</sup> ac aliqui fratres cenobite *Dunelmenses*, olim filii tui, tua doctrina et confessione, que est secunda tabula post naufragium, aliquando desiderenter informari, nos attendentes quod non est zelus sicut *zelus animarum*, et verbum domini, per Salomonem dicentis,<sup>1</sup> memoriter recensentes: non cesses eruere *eos qui ducuntur ad mortem*, de tua eciam circumspecta discrecione necnon et gracia, tibi desuper concessa, fiduciam reportantes, pontificali auctoritate et potestate ordinaria, qua dei misericordia fungimur, audiendi confessiones fratrum cenobitarium *Dunelmensium*, penitencias iniungendi, et absoluendi omnes et singulos tue professionis fratres, qui tracti cordis affectu et ducti mentis deuocione tibi in confessione monstraerint exitus anime sue, plenam et specialem tibi concedimus potestatem, vt sic finaliter spiritus dirigatur ad dominum, potestas diaboli eneruetur, honor Iesu Christi accrescat et in omnibus conseruetur. Et vt dilectis fratribus monasterii *Dunelmensis*, tibi, prout saluti anime tue expedire videris, eligas confessorem, tibi tenore presencium licenciam concedimus specialem, cui tuam audiendi confessionem, penitenciamque tibi iniungendi, te auctoritate nostra absoluendi committimus vices nostras. Dat' &c.

*M., mem. 8  
dorse (4).*

The convent thanks its correspondent for urging the bishop to make it a grant of wood and pasture, of which he has abundance and the convent little.

158. Salutem.<sup>a</sup> Experimentum gratuite dileccionis vestre, quod per effectum operis veris se nobis et ecclesie nostre multis hactenus manifestauit indiciis, quam strenue quamque gratanter nuper domino N. instancias et defectus nostros inculcauit, ab eo, qui nouit et retulit tali, indubitanter accepimus. Vnde quia non videtur nobis facile posse recompensari, quod sine merito recipimus, dominacionis vestre pedibus prouoluti, grates quas possumus instanter deferimus, nos et nostra beneplacito vestro omnino subicientes, et, quia neccessitas cogit ut vobis, domino nostro, de cuius innato amore pre cunctis viuentibus gerimus prerogacionem, bocci

<sup>1</sup> dicitis, MS.



et pasture, quibus maxime indigent religiosi, penuriam exponamus, venerande liberalitati vestre cum omni solitudine et deuocionis instancia duximus supplicare, quatinus, si placet, quod gratis et sine nostri conuiuentia solo benignitatis vestre intuitu super<sup>1</sup> premissis erga dominum N. incepistis, promouere velitis ad finem, ut probacio dileccionis vestre et ipsius frequens promissio speratum sorciatur effectum. Situri pro certo, quod nisi vestra clemencia ipsum induxerit ad complendam frequentem promissionem suam in nos de bosco et pastura, quibus nimis habundat (et) nos mirabiliter indigemus, frustra de alio credimus presumendum. Valete.

[1261-74.]

159. Item forma appellacionis.<sup>2 a</sup>

Quoniam sacri canones passim eciam extra iudicium appellare permittunt,<sup>3</sup> ideo constitutus coram vobis, domine N., episcopo Dunelmensis, ego, N. de N.,<sup>4</sup> nomine prioris et conuentus eiusdem, ne in nos vel aliquem nostrum in genere vel in specie, sine legitima, manifesta et rationabili causa, suspencionis, interdicti vel excommunicacionis sententiam promulgetis publice vel priuatim, neve contra nos vel aliquem nostrum contra libertates nostras optentas, et maxime temporibus predecessorum uestrorum, venerabilium patrum Nicholai et Walteri episcoporum, consuetudines approbatas vel canonice approbandas, seu contra priuilegia Romanorum pontificum, necnon et supradictorum predecessorum vestrorum, aliquid durum in nostri preiudicium vel grauamen attet[m]ptetis, seu quascunque nouas et indebitas exactiones exigatis, statuatis principaliter vel accessorie statuta exsequendo quoquomodo, sedem metropolitanam, et in eius defectum sedem apostolicam, in scriptis apello, et instanter apostolos peto. Hec appellacio facta est anno gracie &c., mense tali, die tali.

*M. mem. 1  
recto (23);  
S. fo. 20 (2).*

The convent's  
proctor  
appeals  
against  
Robert  
Stitchill,  
bishop of  
Durham, lest  
he infringe  
the liberties  
of the  
monastery.

[1286-8.]

160. Hugo, prior, Roberto Auenel, salutem.<sup>a</sup> Quoniam, prout scimus, vos memoriter retinere quod vos et coexecutores<sup>b</sup> testamenti domini Roberti &c. nobis et ecclesie nostre ob certas causas in trecentis libris den' et amplius nomine ipsius defuncti de bonis eiusdem penes vos adhuc remanen-

*L. mem. 1  
recto (9).*

Prior Hugh  
requests  
Robert  
Auenel, one  
of the execu-  
tors of the  
will of Robert  
late bishop of  
Durham, to  
pay money  
owed by the  
defunct to  
the convent.

<sup>1</sup> *sa, MS.*<sup>2</sup> Littera appellacionis, S.<sup>3</sup> promittunt, S.<sup>4</sup> N. de tali loco uel uilla, S.

tibus tenemini, vos monemus, rogamus et affectuose requirimus, quatinus ob salutem ipsius testatoris anime et zelum, quem erga nos geritis, priusquam dicta bona forsitan minus salubriter alicubi in proximo dispergantur, nobis de dicta pecunia sub qua poteritis celeritate ad plenum satisfacere curetis, ne, quod absit, post aliquam factam huiusmodi dispersionem, vnde nobis satisfacere valeatis parum uel nichil penes vos remaneat, quod vos omnes et singulos ad dicte pecunie solutionem de propriis bonis vestris nobis faciendam inuiti in foro quocumque conuenire compellamur. Valete.

[1286-8.]

*L. mem. 1  
recto (17).*

Prior Hugh informs Robert Auenel that his co-executors have agreed to a settlement, and, as they require his assent, encloses letters patent (no. 162) for him to seal.

161. Salutem, et scincere dileccionis in domino semper augmentum. Conuenientes nuper apud Dunelmum coexecutores testamenti domini vestri episcopi defuncti, de assensu nostro ordinauerunt, quod *iiii<sup>or</sup>* fideles ex vtraque parte pecunie defuncto vndecunque debite fideles constituentur collectores, et quod nobis de prioribus *denariis* sic collectis ante quoscunque creditores de *cclxxj*, libris &c. tantum pro totali exactione nostra, quam erga defunctum habuimus, sine dilacione persoluantur. Verumptamen quia de tali summa nobis satisfacienda per litteras vestras coexecutoribus vestris predictis de plano non scripsistis, non ad plenum se asserunt consentire sine vestro speciali assensu, et hoc per litteras vestras patentes expresso, vestram dileccionem, de qua ad plenum confidimus, attente rogamus pariter et requirimus, quatinus forme patencium, quam vobis transmittimus, sigillum vestrum apponere velitis, vt sic memorata pecunia, diutissime debita et detenta, vestro mediante auxilio, nobis persoluatur, quo vobis pro fideli diligencia vestra ad hoc adhibita ad condigniores teneamur graciary acciones merito rependendas. Valete.

[1286-8.]

*L. mem. 1  
recto (18).*

The desired authorization of Robert Auenel.

162. Viris venerabilibus et discretis, N. et N., et ceteris coexecutoribus testamenti domini *Roberti*, quondam episcopi *Dunelmensis*, *Robertus Auenel*, salutem. Sciatis me pure et simpliciter assensum prebere ordinationi vestre, nuper coram domino priore *Dunelmensi* prelocute, videlicet quod duo fideles ex parte testatoris et nostra, et alii duo ex parte dicti prioris constituentur collectores totius pecunie, ubicunque

defuncto debite, et quod de eadem peccunia primo collecta ante omnes alios creditores soluantur eidem priori cclxxj, libre &c. pro octingentis xvij, libris &c., quas idem prior, omnibus computatis, sibi et domui sue debitas fuisse rationabiliter monstravit pro expensis factis circa electionem dicti episcopi et etiam circa placitum inter eundem et archiepiscopum Eboracensem prosequendum, de quibus ipse prior de mera sua gracia omnem illam suam petitionem usque ad dictam summam dicto testatori eiusque executori totaliter remisit. Ratum habiturus et firmum vna vobiscum quicquid ordinatum fuerit in premissis et prosequutum sine aliqua reclamacione aut contradiccione mea in posterum. In cuius [&c.].

[1286.]

163. *Antonius*, permissione diuina &c., *Hugoni*, priori *Dunelmensi*, salutem. Nuper apud Wodestok' cum domino N. rege constituti ad instanciam eiusdem, concessimu' ad partes proficisci transmarinas pro pace inter reges Francie et Aragon' reformanda.<sup>a</sup> Limitato nobis tempore redeundi infra v. septimanas post pascha ad eundem, proinde vobis affectione qua possumus instancius supplicamus, quatinus confratres et commonachos vestros et alios quoscunque nostre dyocesis deuocius inducat, ut nos in oracionibus, missarum solempnitate et aliis caritatis operibus habeant memoriter recommendatos, pro nostra expeditione feliciter peragenda<sup>1</sup> current altissimo fundere preces suas, sic vos habentes in nostra absencia quod ad dei et nostri cedat honorem, et vobis exinde teneamur deuocius obligati. Valet.

*L. mem. i recto (22).*

Anthony Bek bishop of Durham, about to go abroad to make peace between the kings of France and Aragon, asks the prior to cause prayers to be offered for his safety.

[? c. 1289.]

164. Salutem.<sup>a</sup> Dominacionis vestre beniuolencia, que pristinam inter nos familiaritatem gratanter reminiscens ac renouans, imbecillitatis nostre statum nosse desiderat, nostre deuocionis affectum attollit magnifice, vt pro tanta tamque preclara dignacione grates vobis quas possumus et graciaram referamus acciones multiplices. Vestre igitur dileccioni reuerende tenore presencium innotescimus, quod preter occupaciones cotidianas, quas nostre prelacionis assumptum honus expostulat, infirmitate torquemur assidue,

*L. mem. i dorso (11).*

The prior informs the bishop that he is extremely ill, and asks him to further the interests of the convent.

<sup>1</sup> peragendo, *MS.*



diem nostre resolucionis sub tali languore pacifice prestolantes; set quia dulcem zelum erga nos et nostros actenus vos habuisse, retroacta negocia nostra per vestram industriam feliciter expedita testantur, in vobis gaudium et gaudii nostri summa delectabiliter conquiescit, dumque talem tamque benignum protectorem vna nobiscum tota se letatur adquisisse *Dunelmensis* ecclesia, vestre memorie in suis oracionibus et cunctis operibus bonis deuotissime recordata, ad honorem ergo et reuerenciam &c. vestre placeat dominacioni nostra et ecclesie nostre negocia, vndecunque emergencia, solita benignitate promouere &c.

[1289/90.]

*L. mem. 2  
dorse (14).*

The monks  
inform Bishop  
Anthony Bek  
that Prior  
Hugh is  
suffering from  
a paralytic  
stroke, and  
that the  
tenants in  
Heming-  
brough are  
disaffected.

165. Salutem.<sup>a</sup> Vestre paternitatis beniuolenciam, que nos in speciales dileccionis recolligit amplexus, vt nostri curam tam dilligentem habeat et sollicitam, quam non solum ex confratrum nostrorum relacione set ex efficaci operum executione piam comprobauimus et deuotam, nostre deuocionis affectum attollit magnifice, vt pro tanta tamque preclara dignacione grates vobis, non condignas pro meritis, set quas possumus, et graciaram referamus acciones multiplices. Et eo vehemencius regraciamur, quo vos continue regiis negociis intendentes, nos tamen in intimo cordis vestri complectentes conspiciamus, vnde in vobis, tanquam in pio pastore et domino, quin pocius patre et amico, gaudium et gaudii nostri summa delectabiliter conquiescit, dum talem dominum et amicum nos letamur adquisisse, vestre memorie in nostris oracionibus et cunctis operibus bonis deuotissime recordantes. Et quia credimus vos de statu domini prioris nostri velle fieri certiores, vobis innotescimus quod, in festo Sancti Martini morbo paralitico in lingua percussus, non tantum cum difficultate profatus, set in expressione sermonis impedimentum patitur et defectum, quod cum primo sensit, de manerio suo de *Pytyngdon* usque *Fynkal*, ubi et adhuc moratur, se transtulit. Qui tunc cameram suam ingressus nequaquam hucusque est egressus. Et quia, pater reuerende, in *Hemmingburg* quidam, quadam rebellione insurgentes, contra nos breue regium impetrarunt, cuius rei causa dominum Warnerum, camerarium nostrum, cum monumentis nostris transmittimus, qui vobis illud negocium via voce plenius intimabit, vobis attente supplicamus et deuote, quatinus circa huiusmodi rei expedicionem, paterna ducti



affectione, consilium vestrum impendere dignemini et auxilium, vt, si placet, ad future rei securitatem nostre libertatis, in illo regio manerio actenus vsitate, fiat recognicio, ne, quod absit, nostris temporibus defectu nostri aliquo iure uel libertate vestra priuetur *Dunelmensis* ecclesia, beneplacita vestra in hiis et omnibus nobis, qui singulariter et totaliter vestros nos esse recognoscimus, si placet, nunc et alias precipere velitis.

[? 1289/90.]

166. Reuerentissimo patri in Christo, salutem.<sup>a</sup> Litterarum uestrarum frequentia, quas uestra nobis dominacio persepius transmittere dignata est, quam pium quamque deuotum de nostro ceterorumque filiorum uestrorum, conuentus uidelicet *Dunelmensis*, statu et incolumitate geritis affectum euidentissime declarat. Et licet tante dignacioni ex condigno regraciari non sufficimus, ad grates tamen et ampliores, quas possumus, gratiarum acciones vestre celsitudini referendas reuerenter assurgimus. Sciat igitur uestra dominacio, quod nos, prout etas permittit et status nostri condicio, satis prospera gaudemus sanitate, totusque uester conuentus, in omni sanctitate fundatus, omnimoda in pace et quiete delectabiliter conquiescit, pro domini nostri, illustrissimi regis Anglie, ac regine et uestra precipue incolumitate incessanter congaudens, et summo saluatori gracias agens. Et quia de statu nostro uestra petit dominacio totaliter certiorari, mittimus vobis presentibus inclusum transcriptum litterarum quas &c.; vestre ordinacioni et salutifere protectioni nos in hac parte subicientes, uestramque voluntatem in premissis et aliis nobis rescribi humiliter implorantes. Statum uestrum prosperum et incolumem conseruet altissimus.

*L. mem. 1  
recto (8).*

Prior Hugh informs Bishop Anthony Bek that he is fairly well, and that the monastery is peaceful.

## ii. THE CONVENT AND THE ORDER.

[Jan. 1286/7.]

167. Reuerendo<sup>a</sup> patri in Christo, . . . dei gracia abbati monasterii Sancte Marie Ebor',<sup>b</sup> . . . prior *Dunelmensis*, salutem non quam habet set qualem sciret sibi tam in presenti quam in futuro preoptare prosperitatem. Litteras uestras suscepimus, continentes quod vos cum venerabilibus patribus de *Whyteby* et *Seleby* abbatibus super precauendis pericula, que religioni nostre ex mora diuturna generalis

*L. mem. 1  
recto (4).*

Prior Hugh agrees to attend personally or through proctors the meeting of the General Chapter on 25 January 1286/7 at Northallerton

capituli nostri celebracionis iminere possent, quod absit, hac instanti die conuersionis Sancti Pauli apud Aluerton' personaliter accedere proponitis interlocuturi, ubi etiam presenciam nostram requiritis pariter et rogatis; super quo vobis tenore presencium significamus, quod languore, qui per multum temporis pedum incessum violenter nobis abstulit, cessante et per dei auxilium euanescente, vestro rogatui dictis die [et] loco pro viribus temptabimus obtemperare; quod si, eodem languore preualente, prout firmiter proponimus fieri non poterit, tres uel quatuor de domus nostre maioribus nomine nostro ibidem ad vos destinabimus, ad omnia et singula facienda et tractanda, que, si personaliter interessemus, nos ipsi faceremus, eisdem plenitudinem potestatis totaliter committentes. Nulla tamen pro certo nos excusabit temporis importunitas, si non forsan grauior nos prepediat infirmitas. Valete.

[1259-63; 1286-90.]

*M. mem. 1  
recto (11).*

Prior Hugh  
appoints a  
proctor, for  
the meeting of  
the General  
Chapter at  
Northallerton  
on 10 October

168. Littere procuratorie ad diem tractandum de negotio.<sup>a</sup>

Venerabilibus patribus in Christo religiosis personis dominis *Simoni* de Ebor',<sup>b</sup> *Willelmo* de Wytteby,<sup>c</sup> *Thome* de Seleby<sup>d</sup> abbatibus, uel eorum procuratoribus, a generalis capituli prouisione in crastino Sancti Dionisii apud Aluertonam conuenientibus, *Hugo*, prior *Dunelmensis* ecclesie, salutem, et tantis patribus cum omni deuocione reuerenciam. Quoniam, variis negociis domum *Dunelmensem* contingentibus prepediti, dictis die et loco, secundum quod inter nos in generali capitulo nostro de communi consilio prouisum fuit, comode interesse non possumus, dilectum filium nostrum, dominum H. de N., monachum, procuratorem nostrum, vices nostras in hac parte gerentem, per<sup>1</sup> presentes litteras patentes constituimus ad ordinandum et tractandum et prosequendum illud negotium, pro cuius expedicione dictis die et loco de communi consilio duximus conueniendum. Ratum habituri id quod ipse nobis consencientibus quoad predicta ad ordinis exaltacionem et libertatum nostrarum tuicionem fecerit. Val' &c. Dat' &c.

*M. mem. 4  
dorse (1).*

Intercession  
for a monk  
accused of  
betraying the  
secrets of a  
General  
Chapter.

169. Salutem, et cum intime dileccionis affectu paratam ad beneplacita voluntatem. Condicionis humane miseria inter

<sup>1</sup> pro, MS.

cetera, quibus subcumbit, incomoda ex lapsu primi hominis ignorancie cecitate tanta inuoluitur, ut, falsa pro veris supponens, aliquociens insonti culpam inpingat, ipsumque alieno reatu pena dignum existimet, qui multiplex laudis et honoris premium virtute propria merebatur. Audiui etenim quod honesto ac religioso viro N. ex ignorancia seu malicia aliquorum apud vestram sinceritatem crimen inpingitur, quasi generalis vestri capituli secreta felicitis recordacionis domino N. denudasset. Et quia eiusdem tempore capituli cum eodem laudabilem gestum suum magnus<sup>1</sup> tunc in ipsius conspectu habebatur, nec unquam intelligere potuimus quod alienum secretum ei vel alii propallasset, ad excusandam apud vestram prudenciam consuetam innocenciam eius, qui in hac parte ab omni extitit, vt veraciter credimus, culpa immunis, hec vobis duximus tenore presencium intimanda, affectuose rogantes, quatinus nobis, tanquam vestro, beneplacitum vestrum cum plena fiducia intimatis. Sane transmissum nobis per specialem socium nostrum<sup>2</sup> N. a vestra dileccione munus recepimus, in quo sincerum mittentis intime consideracionis oculo intuentes affectum, grates vobis referimus in quantum possimus speciales.<sup>3</sup> Valete feliciter.

### iii. THE CONVENT AND THE CARDINAL-LEGATE OTTOBONO &c.<sup>a</sup>

1265.

170. Littere legati de prelatiis conuocandis.<sup>a</sup>

S, fo. 16 (2).

Memorandum quod anno domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup> quinto, xiiij, Kal' Decembris, mandatum domini Dunelmensis recepimus in hec uerba:

18 Nov. 1265.

Robertus, dei gracia Dunelmensis episcopus, dilectis in Christo filiis, domino Hugoni, priori, et conuentui, salutem, gratiam et benediccionem. Mandatum domini Ottoboni, miseracione diuina Sancti Adriani diaconi cardinalis, apostolice sedis in Anglia legati, recepimus in hec verba:

The cardinal-legate Ottobono summons through Robert Stichill, bishop of Durham, the chapter of the church to a council at London.

Ottobonus, miseracione diuina Sancti Adriani diaconus cardinalis, apostolice sedis legatus, venerabili patri episcopo Dunelmensi, salutem in salutis auctore. Cum sanctissimus pater, dominus Clemens papa iiij<sup>us</sup>, turbacionem incliti regni Anglie sedula cogitacione considerans, nos pro

<sup>1</sup> Perhaps a line has been lost at this point.

<sup>2</sup> ? for uestrum.

<sup>3</sup> spciales, MS.

Dec.

ipsius regni status reformatione, commisso nobis ibi<sup>1</sup> ac in regno Scocie, Wallie<sup>2</sup> et Ybernie plene legacionis officio, de fratrum suorum consilio duxerit destinandos, nosque uelimus super ipsius regni reformatione gratum deo et ipsi regno vtilem uobiscum habere tractatum, paternitati vestre qua fungimur auctoritate mandamus, quatinus in crastinum Beati Andree Apostoli proximo venturum vestram nobis apud Londinium presenciam commodetis. Volumus etiam ut capitulo uestro, quod in predictis loco et termino per procuratorem idoneum coram nobis compareant, auctoritate nostra iniungere procuretis. Diem uero receptionis presencium, et quicquid super predictis facere vos continget per uestras patentes litteras, de uerbo ad uerbum harum seriem continentes, nobis quamtocius fideliter intimetis. Dat' Cant', Kal' Nouembris, pontificatus domini Clementis pape iiiij<sup>ti</sup> anno primo.

1 Novemb.

Huius igitur auctoritate mandati vobis mandamus, quatinus crastino et loco memoratis per procuratorem secundum tenorem mandati premissi compareatis; quid inde facere decreueritis, nobis per litteras uestras patentes, harum seriem continentes, rescribentes. Dat' apud Ryckehall', Id' Nouembris, pontificatus nostri anno v<sup>to</sup>.

13 Novemb.

Nos igitur domino episcopo *Dunelmensi* rescripsimus in hec verba:

Reuerendo patri in Christo, domino *Roberto*, *Dunelmensi* episcopo, deuoti filii *Hugo*, prior, et conuentus eiusdem loci, salutem &c. Litteras uestras in hec uerba recepimus, '*Robertus*, dei gracia *Dunelmensis*' &c., vt supra continetur. Nos igitur mandatum predicti sancti patris, apostolice sedis legati, et etiam vestrum humiliter et reuerenter adimplebimus. Dat' Dunelmi, xiiij Kal' Decembris, anno supradicto. Valeat &c.

18 Novemb.

[? 1265.]

## 171. Littere procuratorie.

S, fo. 15v (1).

Prior Hugh and the convent appoint a monk as proctor to represent them at the council.

Sanctissimo patri in Christo ac domino reuerendo, domino Ottobono, Sancti Adriani diacono [cardinali], apostolice sedis legato, deuotissimi filii sui *Hugo*, prior, et conuentus *Dunelmensis* ecclesie, salutem, et tam deuotam quam debitam cum omni subiectione et reuerencia obedienciam. Nouerit sanctissima paternitas uestra, quod nos constitui-

<sup>1</sup> ubi, MS.<sup>2</sup> Walls, MS.



mus, facimus et ordinamus dilectum fratrem et monachum nostrum A., latorem presencium, procuratorem nostrum ad tractandum et ordinandum vna cum prelati et ceteris, ad uestram presenciam reuerendam conuocatis, super regni statu et ecclesie Anglicane negociis. In cuius rei testimonium has litteras sigillo capituli nostri signatas fie[r]i fecimus patentes. Dat' &c. Valeat reuerenda paternitas &c.

[1267.]

172. *Procuratorium*.<sup>a</sup>

Reuerendo patri in Christo domino Ottobono, misericordie diuina Sancti Adriani diacono<sup>1</sup> cardinali, apostolice sedis legato, deuoti sui et humiles prior et conuentus *Dunelmenses*, omnimodam subieccionem et debitum famulatum cum omni reuerencia et honore. Quia propter discrimina uiarum in presenciam uestra in crastino Sancti Iohannis Baptiste Londiniis non possumus comparere, ideo dilectos nostros A. et B. coniunctim / seu diuisim procuratores nostros constituimus, facimus et ordinamus ad tractandum et inquirendum de uiis et remediis, quibus mediantibus donum pacis et t[ra]nquillitatis regni Anglie, auxilio vestro suffragante, a diuino numine possit inpetrari. Valeat uestra reuerenda paternitas per tempora longiora. Dat' &c.

S, fo. 15 (6).

The prior and convent appoint proctors to represent them at a council summoned by the cardinal legate Ottobono at

fo. 15v.

London on 25 June.

[1265-7.]

173. *Littera procuratoria ad diem.* /

Uiro uenerabili et discreto, magistro Rufino, archidiacono Clueland',<sup>a</sup> commissario sanctissimi patris in Christo, domini Ottoboni, Sancti Adriani diaconi cardinalis, apostolice sedis legati, deuoti sui, *Hugo*, prior *Dunelmensis*, et eiusdem loci conuentus, salutem in domino. Variis prepediti negociis, secundum formam mandati vestri apud *Dunelmum* in crastino Sancti Vincentii martyris personaliter esse non possumus; ideoque dilectos fratres nostros H., terrarium,<sup>b</sup> et R., elemosinarium,<sup>c</sup> et magistrum L., clericum nostrum, procuratores nostros constituimus, facimus et ordinamus. Ratum et gratum habituri quicquid omnes, duo uel vnus eorum coram uobis nomine nostro dictis die et loco duxerint uel duxerit faciendum. In cuius rei testimonium presenti sigillum capituli apponi fecimus. Dat' &c.

S, fo. 16.

Prior Hugh and the convent appoint as proctors to meet Rufinus, archdeacon of Cleveland, commissary of the cardinal legate Ottobono, at Durham on 23 January, H., terrier, R., almoner, and Mr. L., a clerk of the prior.

<sup>1</sup> diaconi, MS.

[1265-8.]

## 174. Littere de excessibus inquirendis.

S, fo. 15v (2).

The cardinal legate Otto-bono orders a report to be made on the behaviour of an arch-deacon, who, he hears, is sinful, a pluralist and a simoniac, and orders that after the inquiry the archdeacon shall be summoned to appear before him.

Ottobonus, miseracione diuina Sancti Adriani diaconus cardinalis, apostolice sedis legatus, discretis uiris N. et N., salutem in salutis auctore. Forma iuris exigit, et ordo rationis exposcit, ut, cum de subditorum excessibus per clamorem et famam ad aures superioris pluries peruenit, ad inquirendum descendat, vt, ueritate comperta, uel delinquentem culpa condempnet, uel innocentia patefacta subducatur. Sane a pluribus et fidedignis et pluries ad aures nostras peruenit, quod N. de N. in ecclesia de N. circa institutionem et ordinacionem ecclesiarum et beneficiorum ecclesia[stic]orum sui archidiacon[at]us, in quibus noscitur iurisdictionem habere, sic ceca cupiditate ducatur, quod in eis plures instituit et admittit ad ea recipiendo precium ab eisdem, quod quidem uicio symonie non caret, et in scandalum uertitur plurimorum. Incontinencie vicio laborans, uitam ducit alias<sup>1</sup> enormiter dissolutam. Plura insuper beneficia, habencia curam animarum annexam, in diuersis ecclesiis preter archidiaconatum suum absque dispensatione sedis apostolice contra statuta concilii generalis, transgressionis notam necnon cupiditatis vicium in anime sue periculum incurrens, per multa tempora tenuit et adhuc detinere presumit. Nos igitur, qui tenemur ex officii nostri debito subditorum excessus corrigere, ne culpam alienam nostram per correccionis negligenciam<sup>2</sup> faciamus, et sanguis eorum de nostris manibus requiratur, non ualentes sine periculo amplius tot excessus predicti archidiaconi sub dissimulatione transire, discrecioni vestre auctoritate qua fungimur, sub pena suspensionis, quam ipso facto incurritis si mandatum nostrum neglexeritis adimplere, districte precipiendo mandamus, quatinus, citato archidiacono supradicto, et expositis sibi capitulis, ac data copia eorundem, super hiis inquiratis diligencius veritatem; inquisitionem huiusmodi nobis sub uestris sigillis inclusam fideliter transmissuri, prefixo nichilominus eidem archidiacono<sup>3</sup> termino<sup>4</sup> peremptorio competenti, quo personaliter compareat coram nobis, facturus et recepturus super hiis, quod ordo dictauerit rationis. Quicquid autem in premissis feceritis, nobis per uestras patentes litteras, harum seriem continentes, studeatis fideliter intimare. Dat' Londiniis &c.

<sup>1</sup> alios, *MS.*<sup>2</sup> negligenciam, *MS.*<sup>3</sup> ? arco.<sup>4</sup> tercio, *MS.*

Citacio.

N. et N. de N., discreto viro &c. Mandatum domini legati recepimus in hec verba &c.

[c. 1263-6.]

175. Omnibus &c., Poncius Nicholai, prepositus montis Cinisii, domini pape capellanus,<sup>1</sup> ac eiusdem nuncius specialis,<sup>a</sup> salutem in domino. Noueritis quod nos domino Petro de Steyngreue, clerico nostro ac socio speciali, damus potestatem et speciale mandatum petendi et recipiendi procuraciones et alia beneficia, que ob reuerenciam sedis apostolice nobis debentur, et compellendi contradictores et rebelles censura qua duxerit compellendos, ita quod possit omnia facere, que nos<sup>2</sup> faceremus et facere possemus, si presentes essemus, quantum pertinet ad dictum officium nobis commissum. Ratum et gratum habentes quicquid per ipsum et cum ipso actum fuerit in premissis, donec presens mandatum duxerimus reuocandum. Dat' apud Eboracum, die Mercurii proxima post festum Apostolorum Petri et Pauli anni &c.

S. fo. 2r (3).

Poncius Nicholai, provost of Mont Cenis, papal chaplain and nuncio, empowers his clerk, Sir Peter de Steyngreue, to receive procuracions &c. on his behalf.

June/July.

## VII. THE CONVENT AND THE KING.

12 February 1249/50.

176. Memorandum quod iste littere peruenerunt ad dominum Bertramum, priorem Dunelmensem, die Mercurii proxima ante medium quadragesime, anno gracie M<sup>o</sup>CC<sup>o</sup>XL nono.

S. fo. 72v.

2 March 1249/50.

Henricus, dei gracia rex Anglie, dominus Hybernie, dux Normannie [et] Aquitannie, et comes Andegauię, dilecto sibi in Christo, priori Dunelmensi, salutem. Mandamus vobis, rogantes quod statim, visis litteris, veniatis ad nos super quibusdam negociis, nos et rengnum nostrum tangentibus, locuturi nobiscum. Et hoc, sicut nos diligitis, nullatenus omittatis. Teste meipso apud Westmonasterium, xij. die Februarii, anno regni nostri xxxiiij<sup>o</sup>.

The king summons the prior of Durham to give him counsel.

1265-6.

177. Littera de mutuo.<sup>a</sup>

Omnibus ad quos &c., Hugo, prior, et conuentus Dunelmensis &c. Noueritis nos per presentes litteras patentes constituisse nos debitores ad persoluendas xx marcas sterlingorum, quas dominus Robertus de Insula, commona-

S. fo. 25 (2).

Letter of credit for the sacrist, Robert of Holy Island engaged in the convent business at the royal court.

<sup>1</sup> capellani, MS.

<sup>2</sup> non, MS.

chus noster, mutuo acceperit ad negocia domus nostre expedienda. In cuius rei testimonium presenti scripto sigillum capituli nostri fecimus apponi. Dat' Dunelmi, iij. Id, Octobris &c.

29 Sept. Memorandum quod dominus *Robertus* de Insula, sacrista *Dunelmensis*, anno domini M<sup>o</sup>CC<sup>o</sup>LX<sup>o</sup>V<sup>o</sup>, post festum Sancti Michaelis, fuit ad curiam domini regis, et habuit secum duos contractus sub forma prescripta, scilicet vnā litteram de xx marcis et alteram similiter de xx pro negociis domus *Dunelmensis* expediendis. Item, eidem eodem anno post natale, scilicet ad conuersionem Sancti Pauli, misse sunt due littere contractus de l. marcis.

25 Jan.  
1265/6.

## VIII. MISCELLANEOUS.

[? Autumn 1240.]

*M. mem. 7  
recto (1).*

The convent, relying on a privilege secured from the pope despite the death of all its proctors at Rome, makes a postulation to the bishopric.

177a. Salutem.<sup>a</sup> Licet multa ac magnifica largitionis paterne beneficia, quibus vestre sanctitatis pietas eximia nos et ecclesiam nostram, variis tribulacionibus afflictam, sepius sine meritis nostris misericorditer visitando respexit, vestre sanctitatis affectibus nos reddant obnoxios et deuotos, ex hoc tamen speciali deuocione nos vestre magnificencie cum vber[r]ima graciā accione posteris temporibus fatemur obligatos, quod cum fratres et procuratores nostri vniuersi in curia Romana debitum mortis exsoluissent, nec viuis<sup>1</sup> superfuisset qui in conspectu sancte paternitatis vestre pro nobis os ad loquendum aperiret, vos causam laborantis ecclesie nostre et iam fere labentis, nullo comparente procuratore, suscipientes, ac supra quam sperare vel petere ausi fuisset, ecclesie nostre desolate consulere volentes, potestatem eligendi vel postulandi pastorem, quam prius dictis procuratoribus nostris contulimus, nobis vestri gracia liberaliter indulsistis per litteras apostolicas a vestra sanctitate transmissas. Nos igitur, ipsarum litterarum auctoritati firmiter inherentes, die ad eleccionem vel postulacionem faciendam statuto, omnes vnanimiter consensimus in venerabilem N., scilicet moribus et sciencia pollentem, a vestra sancta paternitate in episcopum et pastorem ecclesie nostre postulandum. Prefatum igitur N. a vestre sanctitatis dignacione in pastorem et pontificem ecclesie nostre postulamus; omni qua possumus deuocione supplicantes, quatinus postulacioni nostre, de ipso

<sup>1</sup> viuis, *MS.*



ad vos facte, taliter prebere velitis vestre paternitatis assensum, ut desolacionem ecclesie nostre, longo tempore viduate, finem gratum, si placet, imponatis, fratres nostros &c., quos ad vestre sancte<sup>1</sup> paternitatis pedes ad proseguendum dicte postulacionis negocium transmittimus, cum solita, si placet, paternitatis vestre benignitate susipientes &c.

[1258-73.]

178. De conuerso admittendo.

Religioso uiro et patri uenerabili in Christo, domino Ade, dei gracia abbati Noui Monasterii,<sup>a</sup> Hugo, prior Dunelmensis ecclesie, salutem in domino, et tanto patri debitam reuerenciam cum promptitudine obsequendi.<sup>2</sup> Accedens ad nos presencium lator, Rogerus de Botelstan,<sup>3</sup> qui tempore aliquanto nuper in nostro seruicio stetit in seculari habitu, et bene ac fideliter se habuit, lacrimabiliter et cum cordis singultibus nobis insinuauit, quod ob animi perturbacionem, instigante diabolo, sibi<sup>4</sup> contingentem, habitum conuersorum, quem sub uestri monasterii disciplina non modico gessit tempore, reliquit inconsulte, et ad seculum, quasi *canis ad uomitum*, rediit. Set facti tam detestabilis iam penitens et vere contritus, nostrum adiutorium ad statum suum<sup>5</sup> recuperandum instanter et deuote expetiit, nos apud uestram sanctitatem in aliquo<sup>6</sup> posse existimans. Cum ergo exemplo magistri nostri, pastoris optimi, nos, qui gregis ipsius curam suscepimus, non solum ne ab ouili<sup>7</sup> ouis aliqua ab insidiantibus lupis rapiatur sollerter et uigilanter circumspicere teneamur, verum eciam errantes reuocare [et]<sup>8</sup> uagabundas ad gregem reducere, uestram paternitatem discretam requirendam duximus et exhortandam in domino, quatinus prefato Rogero,<sup>9</sup> nuper erranti, set iam per lamenta penitencie ad gregem [redire] affectanti, sinum pietatis aperientes, reconciliacionis gratiam ac habitum pristinum concedere dignemini, misericordie opus in ipsius, si placet, reconciliacione et status recuperacione ostendentes, sine qua, uidelicet misericordia, nullus saluabitur; que eciam, secundum sancti sentenciam,<sup>b</sup> humane nature preciosum est ornamentum, cuius expers homo apostatat et degenerat. Qui enim inmisericors

S, fo. 24v (1)  
M, mem. 2  
dorse (2).

Prior Hugh  
urges Adam,  
abbot of  
Newminster,  
to pardon the  
bearer, Roger  
de Botelstan,  
an apostate  
lay brother,  
who had  
formerly been  
a lay servant  
at Durham.

Prov. XXV l.  
II

S. Augustine

<sup>1</sup> sanctitatis, MS.

<sup>2</sup> Item, alia supplicatoria pro fugitiuo. Salutem, M.

<sup>3</sup> N. de N., M.

<sup>4</sup> Om., M.

<sup>5</sup> Add iam, M.

<sup>6</sup> alico, M.

<sup>7</sup> ouile, M.

<sup>8</sup> Om., MS., M.

<sup>9</sup> N., M.

est, feras dicitur imitari, quoniam<sup>1</sup> nec criminis quantitas<sup>2</sup>, nec temporis breuitas, nec hore extremitas, nec uite enormitas excludit a venia; set in amplitudine sinus sui mater caritatis<sup>3</sup> lapsos erigit penitentes, et prodigos suscipit redeunt, et, uelit nolit nouatus hereticus, omni tempore dei misericordia recipit penitentes. Hec itaque ad ipsius instantiam vobis scribimus, licet uestram super hoc serenitatem exorare uel monere minime credamus necesse.

S., fo. 22 (3);  
M., mem. 4  
recto (12).

The prior and archdeacon of Durham, papal judges-delegate, summon the priors and convents of Newburgh and Healaugh Park and the vicar of Otley to appear before them to make answer to Mr. Alan de Esingwald, executor of the will of the late Mr. John, clerk.

179. Memorandum citacionem peremptoriam a nobis, priore et archidiacono *Dunelmensibus*, iudicibus a sede apostolica delegatis, xvj. Kal' Maii, decano de Bulmer et de Anesti ac capellano *parochiali* de Weston, Eboracensis diocesis, emanasse de citandis de Nouo Burgo<sup>a</sup> et de Parco<sup>b</sup> prioribus et conuentibus eorundem et vicario de Otteley peremptorie, quod compareant coram nobis uel commissariis nostris in ecclesia *Dunelmensi* cathedrali, die Lune &c., magistro &c.<sup>4</sup>

[Citacio.]

Prior et archidiaconus *Dunelmenses*, iudices a domino papa delegati, discreto uiro decano de Bulmer, Eboracensis diocesis, salutem in domino. Auctoritate domini pape, quam uobis intuendam nobisque remittendam transmittimus, uobis firmiter iniungentes mandamus, quatinus peremptorie citetis religiosos uiros priorem et conuentum de Nouo Burgo, quod compareant coram nobis uel commissariis<sup>5</sup> nostris in ecclesia *Dunelmensi* cathedrali die Lune proximo ante festum Sancti Barnabe magistro Alano de Esingwald<sup>6</sup>, executori testamenti quondam magistri Iohannis clerici, de eadem iuxta formam mandati apostolici responsuri et iuri parituri. Qualiter autem mandatum nostrum in hac parte fueritis executi, nobis uel commissariis nostris die et loco prenotatis<sup>7</sup> per uestras litteras patentes, harum seriem continentes, lacius constare faciatis. Dat' Dunelmi, xvi. Kal' Maii &c.<sup>8</sup>

[? July 1263.]

M., mem. 6  
dorse (7).

Appointment of a *custos pacis* in Yorkshire.

180. *Henricus* &c.<sup>a</sup> Quia in diuersis regni nostri comitatibus contenciones mote fuerunt occasione prouisionum et

<sup>1</sup> quia, M.

<sup>2</sup> quantitas &c., ut supra in littera precedenti, and omit to Hec itaque, M.

<sup>3</sup> caritas, M<sup>1</sup>.

<sup>4</sup> Om. the above, M.

<sup>5</sup> commissor', MS.

<sup>6</sup> tali die magistro A. de N., M.

<sup>7</sup> prenotato, MS.

<sup>8</sup> Dat' &c., M.

statutorum factorum apud Oxon' non obseruatorum, que ad plenum uolumus obseruare et tenere, ac prouidemus vos custodem pacis nostre in comitatu Eboracensi, vobis mandamus iniungentes, quatinus plenam pacem [&c.]

25 May 1264.

181. Publicac[i]o pacis.<sup>1 a</sup>

Henricus, dei gracia &c., coronatoribus Norhumbrie &c. Cum iam diuina disponente gracia pax inter nos et barones nostros formata sit et firmata, vobis mandamus firmiter iniungentes, quatinus per comitatum predictum pacem nostram publice proclamari et firmiter obseruari faciatis, et tam ex parte nostra quam baronum nostrorum firmiter inhiberi, ne quis sub periculo uite uel membrorum alicui dampnum inferat uel iacturam in persona uel in<sup>2</sup> rebus, nec incendia uel [de]predaciones seu alia<sup>3</sup> huiusmodi<sup>4</sup> enormia perpetret contra pacem nostram; et si quos<sup>6</sup> malefactores et pacis nostre perturbatores inueneritis, eos arestari et saluo custodiri faciatis, donec aliud inde preceperimus.<sup>6</sup> Teste meipso apud Rouc', xxv. die Maii, anno regni nostri xlviii., &c.<sup>7</sup>

S, fo. 25v (4);  
M, mem. 6  
dorse (6).

King Henry, after the battle of Lewes, orders the coroners of Northumberland to proclaim the peace, and to maintain it.

Rochester.

1291/2.

182. Acta in conuocatione Cantuariensi apud Nouum Templum Londoniense super mandato domini pape specialiter quantum ad quinque articulos.<sup>a</sup> In primis conuenit totus clerus dicte prouincie tam episcoporum, religiosorum quam ceterorum clericorum cuiuscunque dignitatis ac ordinis, tam de exemptis quam de non exemptis auctoritate apostolica vocatis die Mercurii, hoc est Id' Februarii. Quo die ibidem predicauit . . . archiepiscopus Cantuariensis, lecta bulla mandati apostolici de consulendo sedem apostolicam super predictis v<sup>que</sup> articulis, et de quibus patebit in posterum, quia de hiis non potuit ibidem ob pressuram gencium deliberari. Tandem prefixit dictus archiepiscopus diem crastinum auctoritate predicta, vt omnes conuenirent diuisim coram suo dyocesano predictis articulis responsuri et consilium in scriptis prestituri; et sic factum fuerat, prorogatisque diebus

L, mem. 2  
recto (4).

An account of the Crusading Council at New Temple and Lambeth London, 13-6 Feb. 1291/2.

13 Feb.

<sup>1</sup> Om. title, M.

<sup>2</sup> Om., M.

<sup>3</sup> alio, MS.

<sup>4</sup> huius, MS.

<sup>5</sup> aliquos, MS.

<sup>6</sup> perceperimus, MS.

<sup>7</sup> meipso &c., M.

6 Feb.

et continuatis vsque ad diem Sabbati sequentis ex prefixione coram archiepiscopo apud Lamehet' conuenit ibi totus clerus vt supra ad deliberandum. Quo die clerici fuerant concorditer super ordinacione [res]ponsionis<sup>1</sup> domino pape faciente et super nunciis ad eandem responsionem intimidandam, ordinandi videlicet episcopi *Londoniensis*<sup>b</sup> et Her[e]fordensis,<sup>c</sup> abbates Sancti Augustini Cant',<sup>d</sup> Certisseye,<sup>e</sup> Sancte Crucis de Waltham',<sup>f</sup> et de Wauerleye,<sup>g</sup> Cisterciensis ordinis, clerici et magistri, archidiaconus de Middelsexe,<sup>h</sup> *Reginaldus* de Brandon, et Walterus de Ba; et ad consenciendum super certis articulis, eorum ordinacioni clerici sunt concorditer, certe persone, videlicet in qualibet dyocesi vna persona sciens et prudens de consensu cleri. Articuli tales sunt. Primus de consulendo qualiter terra sancta posset recuperari. Ad quem responsum est consulendo quod per sedem apostolicam inter omnes principes Christianos pax et tranquillitas primo ante omnia, si fieri possit, reformetur, et, si efficaciter reformari non valeat, per eandem sedem creetur imperator Christianissimus, qui manu armata discordes ad pacis reuocet vnitatem. Secundus articulus: terra sancta recuperata qualiter posset custodiri. Ad eundem responsum est sic, quod tempore elapso in subsidium terre sancte per vj. annos soluimus decimam et adhuc in idem subsidium per vj. annos sumus soluturi, quare noua onera quoquomodo subire non possumus; set finitis sex annis a domino rege proficiscente ad terram sanctam conabimur eidem subuenire, ita quod totaliter ad hospitalitatis opera et proprie sustentacionis necessaria non reddamur impotentes. Ad conseruacionem predictae terre credimus expedire quod fiet ydemptitas nominis, ordinis et habitus *Hospitellariorum* et *Templariorum*. Tercius articulus de forma mittendorum. Responsum est vt nuncii mittendi potestatem non habeant ecclesiam Anglicanam nouis oneribus aggrauare. Quartus articulus de contribuendo nunciis mittendis. Ad hunc responsum est quod recipiant de ecclesiastico beneficio ad taxationem *Norwycensionem* de qualibet marca vnum quadrantem. Quintus articulus<sup>2</sup> de deuocione in plebe excitanda et discordia magnatum reformanda, uerboque dei seminando, parcendo subditis, eosdem cum mansuetudine tractando, domino archiepiscopo suisque suffraganeis totaliter relinquitur providere.

<sup>1</sup> pñs', MS.<sup>2</sup> articulis, MS.



## Subject Notes on the 'Annales Dunelmenses.'

### PAGE 1.

(a) This date is certainly wrong. The authorities are divided between 23 and 24 March 1208; see Norgate, *John Lackland*, p. 127, note 9. If *assumpcionis* in the text is a mistake for *annunciacionis*, the date is made 24 March 1207/8.

(b) Wendover [*The Flowers of History*, ed. H. G. Hewlett (Rolls Series, 1886-9), ii, 103] gives 29 June; W. Coventry [*Memoriale*, ed. W. Stubbs (R. S., 1872-3), ii, 217], R. Coggeshall [*Chronicon*, ed. J. Stevenson (R.S., 1875), p. 169] and the *Ann. Waverley* [in *Annales Monastici*, ed. H. R. Luard (R. S., 1864-9), ii, 281] support 2 July 1214.

(c) The battle of Bouvines, 27 July 1214. The earl of Salisbury and William Longespee are the same person. The three notabilities who were taken prisoner were Reginald, count of Boulogne, William Longsword, illegitimate brother of King John and marshal of the English forces, and Ferrant, count of Flanders.

(d) When the papal legate Nicholas visited Durham in February 1213/4 to persuade the monks to postulate the king's nominee, John de Gray, bishop of Norwich, he discovered that they had already made a secret election of Richard Poore, dean of Salisbury. Whereupon, somewhat indiscreetly, he forced the convent to postulate Gray, which it did with reluctance, and saving the right of its election. The decretals of both ceremonies (printed *Rot. Chart.*, pp. 207b and 208) were then sent to Rome for the pope's consideration. See Innocent's summary of the case, printed *ib.*, p. 208; *Script. Tres.*, pp. 29-30, and Gibbs and Lang, *Bishops and Reform, 1215-1272*, pp. 60-1.

(e) The generally accepted date of his death is 18 October 1214 (*D.N.B.*, Le Neve, ii, 460). He died at St.-Jean-d'Angély in Poitou on the return journey from Rome; where he had been on his own and on royal business.

(f) Nominated to the provostship of Beverley by Archbishop Geoffrey, which was an occasion for strife (*V.C.H.*, *York*, iii, 22 & n.), Morgan later took the Cross, resigned his benefices, made a vow to Fountains abbey, died on the pilgrimage, and was buried at Fountains before November 1217 (Bull of Honorius III, printed *Reg. Gray*, p. 130).

### PAGE 2.

(a) 1219-49 archdeacon of Durham; 1225 rector of a mediety of Stanhope; 1242 rector of Haughton-le-Skerne, and died 1249 (*F.D.*). He is noticed in 1235 as the uncle of an heir (*Cal. Close*, p. 83), and in October 1243 eleven of his servants were charged with contriving his death (*machinati in mortem*) (*ib.*, p. 48).

(b) Richard Marsh was certainly elected in 1217. The papal mandate authorizing the election was issued on 12 May 1217 (*Cal. Pap.*, i, 47); the [royal] confirmation was given to the elect on 27 June (*Cal. Pal.*, p. 81), and the royal mandate to the guardian of the see to restore the temporalities is dated 29 June 1217 (*ib.*, p. 76). Hence the grant of the bishopric to Richard by Guala must have taken place in December 1216. The chronology of the text is a year out in respect of Richard's episcopate. It would have him elected in June 1218. The vacancy from the death of Bishop Philip (22 April 1208) is computed at 9 years and less than 8 months, and Richard's death is stated to fall within the eighth year of his pontificate (see p. 2).

(e) *circa* is preferable to *citra* here. Other chroniclers give later dates: 2 July 1217, which is the sanctification of St. John Baptist, *Ann. Waverley*, *loc. cit.*, ii, 288; 24 July 1218, Wendover, *loc. cit.*, ii, 237. There is no reason to suppose that the consecration did not take place shortly after the election in 1217. The 22 June, interlined in the text, is too early, and in any case fell on a Thursday in that year. Wendover's 24 July fell on a Monday in 1217 and a Tuesday in 1218, and the one date which fulfils the qualifications is that given by the *Ann. Waverley*, 2 July 1217.

(d) The generally accepted date is the night of 18-9 October.

(e) Lewis, the son of the French king; April 1217.

(f) *comes Pertici*, the count of Perche.

(g) See p. 1, note b.

#### PAGE 3.

(a) Also known as *Willelmus Scottus* (see *Ann. Theokes.* ap. *Ann. Monastici.* i, 69; *Ann. Dunst. ibid.* iii, 104, &c.). When the monks asked the king for the licence to elect, he tried to force on them his chaplain Luke under the threat of keeping the see vacant for seven years. However, Stichill was elected in defiance of the king, and Henry refused him on the grounds that he was a foreigner and suffered from epilepsy (Wendover, *op. cit.*, ii, 309; *Ann. Dunst.*, iii, 104). The dispute was carried to Rome, and on 27 December 1226 the pope ordered the archbishop of York to examine the election and report within two months (Bull printed *Script. Tres.* p. lxix, and *Reg. Gray*, p. 156). The mandate was reissued on 4 March (*Cal. Pap.*, i, 117). Stichill, however, appealed from the archbishop, and went to Rome with the proctors of the electors (*Ann. Dunst.*, iii, 104).

(b) Note that the narrative is in the first person. The editor is probably using a report from the embassy.

(c) Richard Poore.

(d) See p. 1, note c.

(e) See *The Hist. Works of Gervase of Cant.*, ed. W. Stubbs (R.S., 1879-80), ii, 115-24, and *Royal Letters*, ed. W. W. Shirley (R.S., 1862-6), i, 339, for the election of the monk Walter of Eynsham to the archbishopric of Canterbury. The continuator of Gervase says that Walter's election was quashed in the vigil of the Epiphany (*loc. cit.*, ii, 127). The sentence of the pope is quoted in the *Ann. Theokes*, *loc. cit.*, i, 71, and by Wendover, *op. cit.*, ii, 360, and their texts are here collated as *A* and *B* respectively.

#### PAGE 5.

(1) The bull translating Poore, dated 14 May 1228, is printed *Script. Tres.* p. lxix, and *Registrum S. Osmundi episcopi*, ed. W. H. Rich Jones (R.S., 1883-4), ii, 90. On 2 July the pope issued a bull absolving the prior and convent from the sentences of excommunication incurred through the election of Stichill (*Cal. Pap.*, i, 119).

(b) Dated 5 May, according to *Cal. Pat.*, p. 181.

(c) Walter de Gray.

(d) John de Lacy.

#### PAGE 6.

(a) One of the four uncles of the queen who were prominent in England. Another, Boniface of Savoy, became archbishop of Canterbury.

(b) Mr. Walter Crispyn occ. 1223 as the official of Bishop Richard (*Reg. Gray*, p. 148). In September 1226 Mr. Walter Crespin was granted an annual pension of £20 at the royal exchequer (*Cal. Pat.*, p. 60), is mentioned as a king's clerk in October (*ib.*, p. 65), and in November 1227 went to Rome as

the king's proctor to deal with the Durham election (*ib.*, pp. 170-1). In 1227 the king presented him to prebends in Darlington and Auckland (*ib.*, pp. 148 and 168), and he occ. 1244 as rector of Whelpington (*F.D.*). In\* 1241 he held half a carucate of land in Lincolnshire (*Cal. Close*, p. 262).

## PAGE 7.

(a) The exceptions are printed in full, *Script. Tres*, p. lxxii, and dated 23 October 1237.

## PAGE 8.

(a) Papal legate in England, 1225-40.

(b) The archbishop had allowed two of the exceptions—those of hostility and simony—but would not admit the king's proctors to prove them. The king then appealed to Rome; but the convent, by this letter, secured a papal bull, dated 26 April 1238, ordering the archbishop of York to examine the election without delay, and, if canonical, to confirm it. An alternative mandate was sent, as requested, to the Legate Otho (*Cal. Pap.*, i, 172). See *ibid.*, i, 176, for a rehearsal of events.

(c) 1229 witnesses 'le convenit' (*F.P.D.*, p. 217); ? 1237 witnesses a charter together with Durham monks (*Reg. Gray*, p. 178). He held a sixth of a knight's fee in Leicestershire of the archbishop (*Kirkby's Inquest*, ed. R. H. Skaife (*Surt. Soc.*, vol. 49), p. 386).

## PAGE 9.

(a) There is great compression here, and probably inaccuracy. After the king had appealed from the judgment of the archbishop of York (see p. 8, note b) he secured a papal mandate, dated 1 Oct. 1238, appointing judges-delegate to consider the two exceptions admitted by the archbishop, and, within two months, to quash or confirm the election according to their findings (*Cal. Pap.*, i, 176). This bull, however, was not used, and, after the proctors of both sides had appeared at Rome, the pope on 5 October 1239 ordered the Legate Otho to cite Melsonby to appear at Rome (*Cal. Pap.*, i, 183). The death of the entire personnel of an embassy is, even for the Middle Ages, an event of some importance, yet there is discordance in the extant accounts of it. In a document printed below (no. 177a), which, however, presents other difficulties, it is stated that the doomed legation had the power of making a new election or posulation to the bishopric, and hence is that which left after Melsonby's resignation (8 April 1240), and secured posthumously the bull of 18 August 1240, authorizing a new election, and giving the initials of two of the legates as A. and L. (*Cal. Pap.*, i, 192). Matthew Paris notices the death of the four monks under 1240, and his account agrees substantially with this, although inaccurately. He makes a good story by holding that Melsonby resigned in despair when he heard of the fate of his legation. But he makes no mention of a subsequent mission to the pope, and, by proceeding immediately to describe how the monks approached the king for a new licence to elect, he betrays the error in his order of presentation [*Chronica Majora*, ed. H. R. Luard (*R.S.*, 1872-83), iv, 61.] The weight of the evidence, then, seems definitely against the account given in our annals.

(b) Mr. Roger Weseham, 1236-41 archdeacon of Oxford, c. 1241-5 dean of Lincoln, 1245-56 bishop of Coventry and Lichfield, having been provided to the bishopric by the pope despite the protests of the king's proctor. He was the best type of bishop.

(c) Canon of Auckland until November 1240 (*Cal. Pat.*, p. 239), and it is possible that his resignation and his candidature for the bishopric are not unconnected. In 1241 he was in conflict with John Maunsel over the prebend of Thame (Matthew Paris, *Chron. Maj.*, iv, 152). Matthew Paris calls Simon penitentiary of the bishop of Durham.



(d) When the monks asked the king for the licence for a new election, Henry offered them firstly Boniface of Savoy (afterwards archbishop of Canterbury) and then Peter d'Aigueblanche, elect of Hereford. They refused both, and the royal licence is dated 13 November 1240 (*Cal. Pat.*, p. 180). A document purporting to be a postulation to the bishopric at this time, apparently of a bishop, although possibly of one of those to whom the king objected, has been preserved (see below, no. 177a); but the candidature cannot have been proceeded with, for there is hardly time for this between the receipt of the bull in August (see note a) and the royal licence in November. For Nicholas Farnham see *D.N.B.*, Gibbs and Lang, *op. cit.*, p. 194, and Matthew Paris, *Chron. Maj.*, iv, 68 *seqq.*

(e) The royal assent was given on 10 February (*Cal. Pat.*, p. 244). The mandate to deliver the castles is dated 12 February (*ib.*).

(f) The *Ann. Wint.* (*loc. cit.*, ii, 88) and the *Ann. Theokes*, *loc. cit.*, i, 118 give 9 June, which fell on a Sunday in 1241. The *Ann. Osen.*, *loc. cit.*, iv, 88, gives the impossible date 13 June.

(g) The eastern transept, usually called the Chapel of the Nine Altars (see below, nos. 18–20). It was in 1247 that Bishop Nicholas appropriated the church of Bedlington and its revenues to the sacrist's office for this purpose, and instituted a vicarage, which he endowed with 45 M *p.a.* This arrangement was made subject to the life interest of the rector (*North Durham*, p. 367; see also below, no. 99, p. 148).

(h) See below, p. 11.

(i) This date agrees with the notices in the *Ann. Wint.*, ap. *Annales Monastici*, ii, 91, *Ann. Waverley* *ibid.* ii, 338, and *Ann. Osen.*, *ibid.* iv, 96. Matthew Paris, *Chron. Maj.*, iv, 631, gives 7 Id. June, and the *Ann. Burton*, *ibid.* i, 285 27 May.

#### PAGE 10.

(a) Probably the king's clerk of that name: 1243 ambassador to the king of Navarre (*Cal. Pat.*, p. 389; *Cal. Close*, p. 70); 1248 and 1253 visited Gascony on the king's service (*Cal. Pat.*, pp. 31 and 235); 1253 received a grant from the king (*Cal. Close*, p. 313); 1263 restored to the lands he had lost during the disturbances (*ib.*, p. 249); 18 March 1266 the king granted the prebend, which he had held before his death in the church of York, to his successor (*Cal. Pat.*, p. 570), but, as a Mr. John le Gras also died in 1279, holding a prebend in Beverley and the prebend of Bugthorpe in York (*Reg. Wickwane*, pp. 2 & 12), the king was probably misinformed.

(b) Walter de Gray.

(c) William Bitton.

(d) Farnham resigned on 2 February 1248/9 (Matthew Paris, *Chron. Maj.*, v, 53–4; *Ann. Wint.*, ii, 91; *Ann. Osney*, iv, 97; *Ann. Waverley*, ii, 342), according to the *Chronicon de Lanercost* [ed. J. Stevenson (Maitland Club), pp. 54–5], under papal pressure, and died in 1258. According to Matthew Paris (*ib.*, p. 55) the king tried to intrude his half-brother, Aymer of Valence.

(e) A wardrobe clerk (see Gibbs and Lang, *op. cit.*, p. 190).

(f) 26 December, according to the *D.N.B.* (Alexander III).

#### PAGE 11.

(a) When the king accepted the Sicilian crown for Edmund, he agreed to provide 135,541 marks to pay the debts already contracted by the papacy in the war against the Hohenstaufen. To enable Henry to meet this obligation the pope renewed the taxation of the English church, the tenths originally imposed for Henry's Crusade (see under A.D. 1254), and diverted it to this new project. But the pope was hard pressed and required immediate succour. Henry was able to supply 41,000 marks at once, and, to raise the balance,



the bishop of Hereford, acting as Henry's agent at the papal court, in April and May 1235 pledged the credit of a large number of English religious houses for sums ranging from 75 to 700 marks to the Italian banking-houses which were the papal creditors. This may have been a legitimate expedient, for each monastery was to be reimbursed by release from payment of its quota to the tenth to the extent of its liability to the merchants. But this seems to have been imperfectly understood by the monasteries, who first learned of the transaction when notice was served on them by the Italian merchants, that loans (which, of course, they had never received) must be repaid by a certain date under threat of the summary procedure for recovery applicable to financial transactions touching the papal camera. Hence the protests. See Lunt, *The Valuation of Norwich*, pp. 82 *seqq.*; Treharne, *The baronial plan of reform*, p. 60; Matthew Paris, *Chronica Majora*, v, 581-4. As a result of its stand, the convent of Durham was put under an interdict, which was only relaxed on its submission in 1257 (Matthew Paris, *op. cit.*, v, 634).

(b) Mr. Rostand, papal collector of the tenth, nuncio, chaplain and sub-deacon, canon of Bordeaux, king's clerk and councillor (Lunt, *op. cit.*, pp. 84 *seqq.*), and Bernard of Sens, papal subdeacon and chaplain, commissioner of Rostand for the collection of the tenth in 1256-7 (*ib.*, p. 85, n.).

(c) Hugh de Derlington, later prior.

#### PAGE 12.

(a) This wood, situated between Durham and Brancepeth, had been bought in 1254 by Prior Bertram from Robert de Neville (*Script. Tres*, pp. lxxxiii *seq.*)

#### PAGE 13.

(a) Rector of Ryton. The editor of the *F.D.* lists as rectors of Ryton a William de Merghe, occurring in 1254, and a William de Merewell, occurring in 1257. A William de Merewe attests a final concord between the prior and another in 1247 (*Script. Tres*, p. lxxvi), and a Mr. William de Merwer witnesses a grant of Bishop Walter to the convent in 1260 (*F.P.D.*, p. 184, n.). In 1260 Mr. William de Merewa is described as clerk and proctor of Walter, sometime bishop (*Cal. Pat.*, p. 91), and in 1261, as William de Merewe, he is found acting for Bishop Robert (*ib.*, p. 162).

(b) In 1252 he witnesses a charter of Bishop Walter (*Cal. Pat.*, p. 177), and occurs in 1260 as the bishop's chaplain (*F.P.D.*, p. 184, n.). He may be that king's clerk who is described in 1250 as chaplain of John Maunsel (*Cal. Pat.*, p. 75), in 1254 went with the queen to the king in Gascony (*ib.*, p. 376), occurs in 1255 as keeper of Eleanor of Castile's wardrobe (Tout, *Chapters in med. admin. hist.*, i, 256, n.) and in 1264 as her clerk (*Cal. Close*, p. 5), occurs in 1256 as clerk to her husband, the Lord Edward (*Cal. Pat.*, p. 476), is found in 1265 as constable of Windsor castle (*Cal. Close*, pp. 135-6; *Cal. Pat.*, p. 532), and was appointed in 1274 escheator south of the Trent (*Cal. Pat.*, p. 57). If he is not the same person it is impossible to distinguish the benefices which the two held. One can add to the list in *F.D.*: 1241 St. Faith without Winchester (*Cal. Pat.*, p. 251); 1264 Newland (co. Gloucester) (*ib.*, p. 319); occ. 1294 as rector of Monks' Horton and Bladon (*ib.*, p. 120)

#### PAGE 14.

(a) Roger witnesses Walter Kirkham's grant of Bedlington to the convent in 1247 (*North Durham*, p. 367), and a convention between Prior Bertram and Sir Robert de Neville in 1254 (*Script. Tres*, p. lxxxiv). He can hardly be that temporal chancellor of Bishop Anthony who died *c.* 1341.

#### PAGE 15.

(a) John is mentioned in 1240 as sometime bailiff of John fitz Philip, guardian of the bishopric of Durham, and as having exercised the guardianship

under John (*Cal. Close*, p. 200). He witnesses a charter of Bishop Nicholas in 1248 (*F.P.D.*, p. 187, n.) and occurs in 1255 as seneschal of Nicholas and as one of his executors (*Cal. Pat.*, p. 423). According to Hutchinson, i, 222, he was high sheriff and chancellor of Bishop Robert Stichill. In 1269 he was involved in a dispute over 2 acres or 10 bovates of land at Thorp-Bulmer (*Cal. Pat.*, pp. 389 and 473), and in June 1260 a man of that name was in Carlisle prison for the murder of a man and his wife (*Cal. Close*, p. 63). He appears to be dead by 1274 (*Cal. Pat.*, p. 59; 1275, pp. 107 and 164).

(b) See below, nos. 127-36.

#### PAGE 16.

(a) See below, no. 136a.

(b) See below, no. 138.

(c) Edward left England for Gascony and Tunis on 11 August 1270. He wintered in Sicily, and set off for Syria in the spring of the next year.

(d) Rector of All Saints, Ousegate, in York, when studying at Orléans (below, no. 145); occurs in 1267 as rector of Dinsdale, also in the convent's patronage (*Reg. Giffard*, p. 22); is found in 1281 as prebendary of Howden (*Reg. Wickwane*, pp. 175-6), and died in 1302, still prebendary of Howden (*Reg. Corbridge*, ii, 133). He frequently acted as proctor of the convent (below, *passim*, and *Placitum*, fo. 155v. (5 June 1282)). In 1267 he represented the prior as archdeacon in Allertonshire (*Reg. Giffard*, p. 22), and in 1281 and 1289 in Howdenshire (*Reg. Wickwane*, p. 232; *Reg. Romeyn*, ii, 36).

#### PAGE 17.

(a) Richard de Escrik.

(b) Robert of Holy Island, later bishop.

#### PAGE 18.

(a) Hugh had made improvements at all these places, and at many more. He had built a house and chapel at Wardley, emparked Muggleswick, and built a house at Westoe (*Script. Tres*, pp. 46-7).

(b) 1270 rector of Lanchester (*F.D.*); prebendary of Howden (*Reg. Romeyn*, ii, 39); died 1283 (*F.D.*).

(c) Probably the clerk of that name eminent in the diocese of Lincoln: rector of St. Clement outside the walls of Oxford (*Rot. Ric. Gravesend*, p. 223); 1271 vicar of Wing (*ib.*, pp. 222 and 247); occ. 1280 as archdeacon of Bedford, and died October 1282 (Le Neve).

(d) 1288 rector of Stanhope; 1301 master of Greatham hospital; 1288 prebendary of Chester-le-Street; 1301 prebendary of Osmotherley; died in 1311 (*F.D.*). He witnesses charters of Bishop Robert of Holy Island in 1277 (*Cal. Pat.*, p. 202) and in 1283 (*F.P.D.*, p. 185, n.), and was one of the executors of his will (*Script. Tres*, p. xcvi). In November 1288 he is found acting for the archbishop of York (*Reg. Romeyn*, ii, 35). He occurs in 1292 as clerk of Bishop Anthony (*Cal. Pat.*, pp. 504 and 505), witnesses a charter of the bishop in 1291 (*F.P.D.*, p. 183, n.), and was acting for the bishop and Luceby against Prior Richard de Hoton in 1300 ('*Gesta Dunelmensia mccc.*' ed. R. K. Richardson, *The Camden Miscellany*, xiii, 45). In 1291 he, or another Mr. Thomas de Levesham, was accused in Yorkshire of the death of Robert de Cotum of Cleveland and of robbery (*Cal. Pat.*, p. 453).

#### PAGE 21.

(a) The form of the profession used at Durham was, 'Ego frater N. presbyter vel diaconus promitto stabilitatem meam et conversionem morum meorum et obedientiam secundum regulam Sancti Benedicti coram Deo et sanctis ejus in hoc monasterio, quod est constructum in honorem Sanctae Mariae semper

virginis et Sancti Cuthberti praesulis et praesentia Domini. Amen.' (quoted Hutchinson, ii, 77, from D. & Chap. MS. B. iv, p. 24; 'Folio quarto inscribitur haec formula professionis quae a monachis Dunelm. religionem ingredientibus fieri solebat').

## PAGE 22.

(a) This is 'Le convenit,' made in 1229 (printed *F.P.D.*, pp. 212 *seqq.*). Its words on this question are these: 'Praeterea professione facta a monachis in praesentia Prioris in Capitulo, nos et successores nostri dabimus professis sollempnem benedictionem ad missam, repetita iterum professione in praesentia nostra vel successorum nostrorum.'

## PAGE 25.

(a) Alexander de Alverton and probably Richard de Bradwell (see above, p. 21).

(b) The chapel at Bearpark (cf. *Durham Account Rolls*, ed. Fowler (Surtees Soc., vols. 99, 100, 103), pp. 568 and 628).

## PAGE 31.

(a) Probably not the chaplain who witnesses a charter of Bishop Walter in 1247 (*North Durham*, p. 367) and in 1252 (*Cal. Pat.*, p. 177), and who occurs as master of Kepier in 1269 (*Cal. Close*, p. 138).

(b) Richard de Escrik and Robert of Holy Island

## PAGE 32.

(a) Cf. 'Le convenit,' 1229 (*F.P.D.*, p. 212): the prior-elect shall be presented to the bishop 'tanquam patrono et ordinario.'

## PAGE 33.

(a) This discussion and controversy show how far the cleavage between bishop and convent had developed. Bishop William of St.-Calais had granted a copy of Lanfranc's *Consuetudines* to the monks (C. H. Turner, 'The earliest list of Durham MSS,' *The Journal of Theological Studies*, vol. 19 (1917-8), p. 122). Lanfranc explicitly equated abbot and bishop in every respect [Wilkins, *Concilia*, i, 328 *seqq.*; J. Armitage Robinson, 'Lanfranc's Monastic Constitutions,' *J. T. S.*, vol. 10 (1908-9), pp. 375-88; Rose Graham, 'The relation of Cluny to some other movements of monastic reform,' *ibid.*, vol. 15 (1913-4), pp. 184-5; Dom. David Knowles, 'Essays in Monastic History—v: The cathedral monasteries,' *Downside Review*, vol. 51, pp. 83 *seqq.*], and William of St.-Calais had behaved in this spirit, not only by acting as abbot in the convent [Symeon's *historia Dunelmensis ecclesiae*, ed. Thos. Arnold (Rolls Ser.), i, 125], but also by making the prior his vice-gent in the spiritual government of the diocese (see below, p. 64, note b). It seems, however, that this organic unity was always a counsel of perfection, for even under Bishop William the monks were claiming a division of the conjoint estates of the church (Greenwell, *F.P.D.*, pp. xv *seqq.*), and the succession of a secular, Ranulf Flambard, to the see completed the disruption. During his episcopate the monks forged a number of charters, in all of which the prior was given the position of abbot (*F.P.D.*, pp. xxxviii-lxxv). Nevertheless the special position of the bishop and his claims to tutelage could never be entirely destroyed. As late as 1198 Bishop Philip of Poitou obtained a papal inhibition to the prior and convent to assign churches, alienate possessions, and appoint priors and other obedientiaries without the consent of the bishop, on the grounds that he had amongst them the place of abbot (*Calendar of Papal Letters*, i, 4), and, although the convent held that it was null *ex suggestionem falsi* (Geoffrey de Coldingham, *Scriptores Tres*, pp. 20-1), it represented an attitude that the bishops were always liable to take.

(b) Roger de Methley.



(c) He went in 1274 with Robert of Holy Island, bishop-elect, to the king (*Script. Tres*, pp. lxxxv and lxxxvii), and was high sheriff of that bishop (Hutchinson, i, 227).

PAGE 44.

(a) Robert de St. Agatha.

PAGE 46.

(a) Robert was chancellor to Bishops Robert Stichill and Robert of Holy Island (Hutchinson, i, 222 and 227; *F.D.*; *Cal. Pat.*, 1277, p. 202; below, p. 54). He appears to have been the chief adviser of Robert of Holy Island, accompanying him to the king after his election (*Script. Tres*, pp. lxxxv and lxxxviii), acting for him in the dispute with York, 1281-2 (*Placitum*, ff. 130v, 155v, 162)—in the course of which the archbishop enquired whether he was the vicar or the official of the bishop (*Reg. Wickwane*, p. 178)—and executing his will (below, nos. 160-2). Sir Hugh de Burgh, imprisoned in Durham castle because of an action on behalf of the archbishop of York, in 1282 sent Robert some verses in which he asked for his release [*Chronicon de Lanercost*, ed. J. Stevenson (Maitland Club), p. 110.] Robert was rector of Stamfordham in 1260; 1292 prebendary of Auckland; rector of Croft (N. Riding of York) and master of St. Leonard's hospital, York (*F.D.*). He died in 1300 holding Stamfordham and a prebend in Howden (*Cal. Pat.*, p. 541; *Reg. Corbridge*, ii, 132). The king made him a present of four bucks in 1283 (*Cal. Close*, p. 210).

PAGE 48.

(a) The castle of L'Arbresle, near Lyons. Robert's death anticipated his retirement, for he had received papal permission at the council to resign (*Chronicon de Lanercost*, p. 96).

(b) Abbey of St. Martin, Savigny, near Lyons.

PAGE 51.

(a) Walter Giffard.

PAGE 52.

(a) It is not certain when Henry ceased to be sacrist. He occurs as prior of Coldingham in ? 1277 (*North Durham*, appendix, p. 101) and certainly in 1278 (*ib.*, p. 56).

PAGE 53.

(a) The appropriation of the church of Bishop Middleham to Finchale was complicated because of the existence of an alien and absentee rector. In 1237, *sede Dun. vacante*, Archbishop Walter de Gray instituted Berengarius, son of the noble lord Jordan de Montecute, by proxy to the church on the presentation of the convent, reserving to Mr. Peter de Croft his vicarage therein (*Reg. Gray*, p. 78). The circumstances of this appointment are not revealed; but the rectory apparently passed to another member of the family, Sir Peter de Montecute, without the participation of the convent (see below, no. 107). Peter farmed the church for 50 marks annually while he studied at Bologna (below, nos. 107 and 108), and the monks went to great expense and trouble to get him to resign, being prepared to offer him an annual pension of more than 50 marks (*ibid.*). In October 1278, on the successful completion of the negotiations, Bishop Robert granted the parsonage to Finchale, and increased the revenues of the vicarage, to which the convent of Durham was to present (charter printed *Priory of Finchale*, ed. Raine (Surtees Soc., vol. 6), p. 148). Although the convent appears to have been fortunate enough to persuade Peter to be content with 45 marks annually, which was perhaps equivalent to the reduced value of the church, Finchale, on which the burden of the pension fell, became behind-hand with its payment, and in 1286 Peter is found collecting arrears of 45 marks through an attorney



(letter of attorney, dated Turin, 19 April 1286, and acquittance of Peter, printed Surtees, iii, 4), while a letter of his relative, Osbert bishop of Asti, is extant, in which he reminds Durham of its obligations (below, no. 109).

## PAGE 57.

(a) This proxy has nothing to do with the election. It is dated 18 June 1281, and was granted for the making of an appeal against the archbishop of York, as appears from the *Placitum*, fo. 129, where the same proxy is given in its right context. The only difference is that the name of Henry de Tesdale does not appear there; but it is also omitted here in the second recital of the names. It will be observed that this chronicle is showing a degeneration like that to be found in the *Placitum* (see above, p. viii), and is becoming a mere collection of proxies without titles.

## PAGE 63.

(a) The date given by the *Royal Hist. Soc. Handbook of Brit. Chronology* is 9 January 1283/4.

## PAGE 64.

(a) See the Office for the enthronization of a bishop given by W. Maskell, *Monumenta ritualia ecclesiae Anglicanae*, iii, 282 *seqq.*

(b) Bishop William of St.-Calais granted to Prior Turgot and his successors the position of archdeacon and vice-regent in the diocese [*Symeonis historia Dunelmensis ecclesiae*, ed. Thos. Arnold (Rolls Ser.), i, 129]. Ranulf Flambard, however, had Turgot made bishop of St. Andrews [William of Malmesbury, *Gesta pontificum Anglorum*, ed. N.E.S.A. Hamilton (Rolls Ser.), p. 273], and appointed two secular, territorial archdeacons (*F.D.*). In consequence the prior claimed the position of a dean, with a superiority over the archdeacons. Indeed, William of Malmesbury calls Turgot 'in toto episcopatu decanus et vice dominus' (*loc. cit.*). Only one of the spurious charters of the first quarter of the twelfth century mentions the archidiaconate of Turgot (fourth charter ascribed to King William, *F.P.D.*, p. lxxiv); the remainder equate the position of the prior to that of the dean of York (*F.P.D.*, pp. xxxix, xlvii, lxxvii, lxxviii). From a suit between the archdeacon and the prior of Durham heard in 1147 we learn that the priors had quickly established their new position (*F.P.D.*, pp. lx-lxiii). The quarrel between the prior and the official of York over the right of installing the bishop must have been recurrent, for John de Wessington, before his election as prior in 1416, composed a memorial 'pro iure prioris installandi dominum episcopum Dunelmensem, cum contingit' [*Registrum palatinum Dunelmense*, ed. Sir T. Duffus Hardy (Rolls Ser.), iv, 485, n.].

(c) The elder brother of Anthony, who was chancellor of the University of Oxford in 1269, keeper of the wardrobe in 1274, lord treasurer in 1279. He had many ecclesiastical preferments, and was bishop of St. David's from 1280 until his death in 1293 (*D.N.B.*).

(d) Alan de St. Edmund, formerly chaplain of Cardinal Hugh of Evesham, and provided by the pope to the bishopric of Caithness on 13 April 1282. He was an intimate of King Edward I, supported him after the death of King Alexander III, and was appointed by him chancellor of Scotland (J. Dowden, *The Bishops of Scotland*).

## PAGE 65.

(a) 'Antonius episcopus, tercio die installacionis suae, optulit magno altari duos pannos de rubeo samette, brudatos cum historia nativitatis et passionis Christi; et unum vestimentum de eodem panno brudato, cum passionibus multorum martirum in rotundis ortulis [i. rotulis], quorum nomina super capita eorum inscribuntur; et unam albam ejusdem brudaturae,' *Wills and Inventories*, ed. Raine (Surtees Soc., vol. 2), pt. 1, p. 12.

(b) The most southerly of the altars in the chapel of the Nine Altars, dedicated to St. Andrew and Mary Magdalene (*Rites of Durham*, ed. Fowler (Surt. Soc., vol. 107), p. 1).

## PAGE 67.

(a) A justice of the common pleas, appointed in 1278, and disgraced and imprisoned for corruption in 1289 (Foss, *Judges of England*). He died in 1303, holding a prebend in the church of Howden (*Reg. Corbridge*, ii, 134). In *F.D.* he is listed as occurring in 1288 and 1311 as prebendary of Chester-le-Street.

## PAGE 73.

(a) This excerpt from Justinian is quoted in a decretal of Pope Innocent III (*Decretales*, 1, xxiii, 7), concerning the election of rural deans, and was henceforth widely used in the thirteenth century: see Stubbs, *Constitutional History of England*, 4th ed., ii, 133; Vinogradoff, *Collected Papers*, ii, 245; Miss M. V. Clarke, *Medieval Representation and Consent*, p. 264. One can add to their examples of its citation. It appears in the statutes of the southern General Chapter of the English Benedictines, 1225 [W. A. Pantin, *Chapters of the English Black Monks* (Camden Soc.), i, 19], and was repeated and modified in 1249 and 1277 (*ib.*, i, 42 and 86). It is also to be found in injunctions to monasteries of Archbishop John Pecham [*Registrum Epist. J. Peckham, arch. Cant.* (Rolls Ser.), ii, 648] and of John of Pontoise, bishop of Winchester [*Registrum Joh. de Pontissara* (Cant. & York Soc.), i, 120]. Even more interesting, for the light it throws on the use of the tag in the parliamentary writs to prelates in 1295, is its employment in the summons to the southern General Chapter of the English Benedictines in 1297 and 1310 (Pantin, *op. cit.*, i, 136 and 165), and its occurrence as early as 1252 in the prorogation of such a meeting (*ib.*, i, 49).

## PAGE 74.

(a) The quarrel with York, which began in 1281 (see *Placitum*, and *Script. Tres*, pp. 58-63, 65-9), was in its last stages, and a settlement was achieved in November 1286 [*Script. Tres*, pp. 73 and xciv; *Historians of the Church of York*, ed. Jas. Raine (Rolls Ser., 1879-94), iii, 212].

## PAGE 75.

(a) An attempt to put an end to these endemic disputes over the administration of the convent during a vacancy in the priorate was made by Bishop Richard of Kellawe in November 1311. As befitted a bishop who had been one of the brethren he satisfied most of the convent's desires [Charter printed *Registrum palatinum Dunelmense*, ed. Sir T. Duffus Hardy (Rolls Ser.), ii, 1125-7]. Bishop Richard of Bury confirmed his predecessor's charter in 1343 [*Richard of Bury, Fragments of his Register &c.*, ed. G. W. Kitchin (Surtees Soc., vol. 119), pp. 185-7].

(b) The second hand provides as a foot-note a letter of excuse for non-attendance at the election after the death of Bishop Richard of Kellawe: 'Certificacio non veniencium. Huius igitur auctoritate mandati vniuersis [et] singulis confratribus nostris, mecum commorantibus, in forma debita per me monitis personaliter et citatis, paternitati vestre nomine meo et ipsorum singulorum significo per presentes, quod, sicut propter temporis breuitatem ac alia legitima multumque cogencia inpedimenta commode non valemus, sic nec ipsi nec ego dicte electioni dictis die et loco intendimus interesse, voces nostras ad honorem dei et ecclesie Sancti N. spiritui sancto et sacro fratrurn nostrorum conuentui libere concedentes. In cuius rei &c. sigillum meum vsitatum tam pro eis quam pro me presentibus est appensum. Dat' apud Lithum in die Animarum, anno domini M<sup>o</sup>CCC<sup>mo</sup>XVI<sup>o</sup> [2 Nov. 1316].'

## PAGE 77.

(a) Henry had been the chief of the *compromissarii* at the last three elections (above, pp. 38, 50 and 56-7), and doubtless felt his significant exclusion on this occasion.

## Subject Notes to the Illustrative Documents.

### No. 2.

(a) The introit on Low Sunday, which identifies it as Hoton's installation (see *Script. Tres*, p. 73).

### No. 7.

(a) The one certain *terminus ad quem* for the date of this list is 1274-5, the death of Laurence del Brok; but it is probably earlier than 1272, when Robert Burnel was granted the rectory of Welton, for such men were usually pensioned until a suitable benefice was available. The *terminus a quo* is probably 1265, for it is unlikely that Bogo de Clare was in receipt of a pension before that date (see below, no. 135a). If, however, Robert Burnel was granted his pension on becoming archdeacon of York in 1271, the date of the list is made even more precise.

(b) The son of the earl of Gloucester and a notorious pluralist, also known as Bogo de Fairfax. For his benefices see *F.D.* and appendix; letter of Archbishop Pecham (*Reg. Romeyn*, i, 396); A. Hamilton Thompson, 'Pluralism in the Medieval Church,' *Assoc. Archæol. Soc. Reports*, xxxiii, 53-7; cf. M. S. Giuseppi, 'The wardrobe and household accounts of Bogo de Clare, 1284-6,' *Archæologia*, lxx, 1-56. Among his innumerable benefices he held the treasurer-ship of York c. 1274-85 (Le Neve), and the convent presented him to Hemingbrough in 1287 (*Reg. Romeyn*, ii, 34), perhaps to free itself from this pension, which he had secured from his unsuccessful attempt to get the rectory of Howden in 1265 (below, no. 135a).

(c) A well-known counsellor and proctor, a papal chaplain and professor of both laws (*Placitum*, fo. 127; *Cal. Pat.*, 1275, p. 94), who was frequently employed by the king. He occurs in 1278 as canon of Barnby in York (Le Neve), in 1279 as rector of Skipwith, when it was made a prebend of Howden, probably in William's favour (*Reg. Wickwane*, p. 229), and in 1281 as archdeacon of Northumberland (*Placitum*, fo. 127; he is not listed in *F.D.*). In 1283 he became precentor of York (*Reg. Wickwane*, p. 332), and was bishop of Salisbury from 1289 until his death in 1291 (Le Neve). He was consulted by the convent during its quarrel with York. In 1281 Prior Richard asked him to visit Durham on 1 June to give his advice (*Placitum*, fo. 127), and although the meeting seems to have been abortive (*ib.*, fo. 128), William successfully persuaded the archbishop to postpone his proposed visitation of the convent until the monks could consult with their bishop (*L. mem.* 1 recto (15); *Placitum*, ff. 138 *seqq.*; *Reg. Wickwane*, pp. 6 and 173), and advised the convent to reject a form of visitation proposed by the archbishop (*Placitum*, fo. 138v).

(d) Born of a Shropshire family, Robert attached himself to the Lord Edward as his clerk, and enjoyed his intimate friendship for the rest of his life. He is credited with an influence on the Edwardian legislation, and was chancellor from 1274 until his death in 1292. Twice unsuccessful as a candidate for Canterbury, he was elected to the bishopric of Bath and Wells in 1275, and accumulated a number of benefices. In 1272, when archdeacon of York, he was presented by the convent to the rectory of Welton (*Reg. Giffard*, pp. 57-8). See *D.N.B.*; Le Neve; and Tout, *Chapters in med. administ. hist.*, vols. 1 and 2.

(e) An exchequer clerk who amassed a large number of benefices. 1270 precentor of Hereford; *ante* 1274 dean of St. Paul's, London; died 7 October 1276 (Le Neve; Foss, *Judges of England*).



(f) A distinguished advocate in the reign of Henry III, frequently employed by the king from 1253. He was raised to the bench before February 1267, and continued there until the end of the reign. He died 1274-5 (Foss, *Judges of England*).

(g) A clerk of Archbishop Gray, who witnesses one of his charters in 1254 (Reg. Gray, p. 273, n.). He received the royal protection in 1265 (*Cal. Pat.*, p. 513).

(h) Seneschal of the prior (*F.P.D.*, p. 27, n., and 197, n.); 1268 arbiter nominated by the convent (*ib.*, p. 189, n.); also occurs in 1260 as witness to a charter of Bishop Walter to the convent (*ib.*, p. 184, n.).

(i) A clerk who in 1277 and 1279 witnesses charters of Bishop Robert of Holy Island (*Cal. Pat.*, p. 201; *The Priory of Colding*, p. 2); 1281 excommunicated by the archbishop of York as a supporter of Durham (Reg. Wickwane, p. 177); 1290 went to Rome (*Cal. Pat.*, p. 338); 1292 witnesses a charter of Bishop Anthony as his clerk (*Cal. Pat.*, p. 504), and was the official of that bishop (Reg. Romeyn, ii, 90, 96, 98). He occurs in 1290 as rector of a mediety of Kirkby-in-Kendal (*Cal. Pat.*, p. 338; Reg. Romeyn, i, 341), in 1294 as rector of a mediety of Whittingham (*Cal. Pat.*, p. 121), and in 1294 as rector of Ryton (*Cal. Close*, p. 405). He was removed from Kirkby-in-Kendal by Archbishop le Romeyn under papal authority; but was intruding in 1300 (Reg. Corbridge, i, 290). He seems to have been expelled by Archbishop Corbridge before April 1301 (*ib.*, p. 292).

(j) A rather wild priest. He occurs in 1265 and 1266 as rector of Takeley (*Rot. Ric. Gravesend*, p. 219; *Cal. Pat.*, p. 20); 1268 ordained priest (Reg. Giffard, p. 191); 1270 presented to the church of Stonegrave (*ib.*, p. 46), but the patronage was in dispute, and Thomas was unsuccessful (*Cal. Pat.*, p. 8); he occurs in 1275 and 1279 as archdeacon of Northumberland (*F.D.*); 1279 presented by the convent to the rectory of Brantingham (Reg. Wickwane, no. 555); in July 1281 he acted for the convent in the lawsuit with York (*Placitum*, fo. 128v), but later appears in the service of Archbishop John le Romeyn (below, no. 82); occurs in 1293 as canon of Lincoln (*Cal. Pat.*, p. 6), and died before 1322 (*F.D.*). Some of his misdemeanors also have been recorded. In 1270 the king pardoned him for all trespasses against the vert and venison committed in the forests in the counties of Southampton and Oxford (*Cal. Pat.*, p. 430); in 1274 he was arrested at Oxford after a disturbance among the students and charged with homicides and trespasses (*Cal. Close*, p. 67), and, on his returning to the city despite the king's prohibition, he was amerced at £20 (*ib.*, 1275, p. 219; 1279, p. 528); in 1281 the bishop of Durham complained to the king that he had entered the bishop's free warren in Howden, and carried away hares (*Cal. Pat.*, p. 470); and in 1293 he received the king's pardon, having lately been convicted at Nottingham for abetting an appeal (*ib.*, p. 6). The prior had considerable trouble with Thomas over a debt (below, nos. 80-2).

(k) In 1247 he is found witnessing a final concord (*Script. Tres*, p. lxxvii). There was a family of king's clerks of this name. On 28 April 1238 Thomas, son of John de Windsor, received the lands of his father and his hereditary office at the exchequer (*Cal. Close*, p. 47), and in 1250 Thomas's son and heir, John, succeeded to this position (*ib.*, p. 332). Another Thomas de Windsor appears shortly after this. In 1256 he witnesses a charter as the king's clerk (*Cal. Pat.*, p. 521), in 1257 went with the king to Wales (*ib.*, p. 595), in 1272 acted as royal commissioner (*ib.*, pp. 687 and 32). In 1220-1 Mr. Thomas de Windsor, clerk, was presented to the church of Bygrave [*Rot. Hug. de Welles*, ed. W. P. W. Phillimore and F. N. Davis (Cant. & York Soc.), iii, 34]; 1258 presented to Mylor (*Cal. Pat.*, p. 615). In 1250 and 1270 clerks of that name acted as attorney (*Cal. Close*, p. 357; *ib.*, p. 301).

(m) St. Margaret's, Framwellgate, in Durham, a chapel of St. Oswald's, Elvet.



(n) William le Breton, probably the parson of Dinsdale (see grant of the church to William by Bishop Philip, *ante* 1208, printed Surtees, iii, 394; see also 'Attestationes testium,' *F.P.D.*, p. 249), granted the vill of Burdon to the convent, in return for which Prior Ralph (1214-33) and the convent agreed to maintain in perpetuity two chaplains, each receiving 4 marks annually, one to celebrate divine services in the church of Darlington and the other in that of Dinsdale for all the faithful and for the souls of William, his wife Alice, and all their ancestors and successors (Charter of Ralph, printed Surtees, iii, 396).

(b) The chantry priests who celebrated for the souls of Henry de Melsonby and Prior Bertram de Middleton. Each chaplain received a salary of £1 a year and his corrody. They are described as celebrating in the chapel *supra portam abbatiae* (*Script. Tres*, pp. xxxix and xlviii). There were two chapels in lofts in the north aisle of the choir, the one at the east end being known as the Amanchoridge [*Rites of Durham*, ed. Fowler (Surt. Soc., vol. 107), p. 17]. It is probably the chapel at the other end, surmounting the screen, and adjoining St. Benedict's altar, which concerns us here, for it was by the door to the sacrist's office (*ib.* p. 18, and plan).

(p) For the twelve principal festivals, and the anniversary of Prior Thomas, see *Script. Tres*, pp. xlv *seq.*

(q) A king's clerk and an alien. ? 1252-7 controller of the wardrobe (Tout, *Chapters in med. admin. hist.*, vi, 28); 1254-5 and 1258-61 keeper of the wardrobe (*ib.*, vi, 25).

(r) Is found witnessing a charter in 1275 (*F.P.D.*, p. 190, n.).

#### No. 8.

(a) A well-known legal adviser and proctor, holding some half-dozen prebends and many other benefices (for which see *F.D.* and *Le Neve*). In the quarrel between Durham and York he was a proctor of the convent at the hearing of the case in 1282 at Stamford (*Placitum*, ff. 147, 147v, 155v), and was the convent's nominee when arbitrators were appointed in 1283 (*Placitum*, fo. 162v; *Script. Tres*, p. 63). In 1288 he was granted an annual pension of 10 marks by the archbishop of York (*Reg. Romeyn*, ii, 164). In February 1292 he was at the Crusading Council held at the New Temple and Lambeth, probably sending the convent the account of it which is printed below (no. 182), and went to Rome with others of the council to inform the pope of its deliberations (*Cal. Pat.*, pp. 480-1). In 1300 he was attached to Bishop Anthony Bek [W. A. Pantin, *Chapters of the English Black Monks* (Camden Soc.), i, 264; from which it will be noticed that there were two R. de Brandons concerned in Durham affairs at this time], intervening on the bishop's behalf in the struggle with Prior Richard de Hoton ('Gesta Dunelmensis mccc,' ed. R. K. Richardson, *The Camden Misc.*, xiii, 18, 36, 42), and was rewarded with a Howden prebend by the rebel monks (*Reg. Corbridge*, ii, 132). Reginald was also frequently employed by the king as administrator and counsellor. He died in March 1305/6, according to *Reg. Corbridge*, ii, 176, which corrects the date given by *Le Neve*—*c.* 1313. This letter, if the address is correct, must be earlier than 1279, when Reginald became a canon of St. Paul's, London.

#### No. 10.

(a) It will be noticed from no. 7 that both Mr. Thomas de Byrland and Thomas de Windsor were in receipt of pensions of 5 marks.

#### No. 13.

(a) See also no. 158. The convent's lack of forest seems to have been a burning question in the twelfth and thirteenth centuries. The quarrel and law suit between Bishop Richard Marsh and the convent was partly concerned with their rival claims of bishop and convent to forest, and, although 'Le

convenit' of 1229 was unfavourable to the monks on this point, Richard le Poore apparently promised compensation. But the promise was not implemented until Bishop Robert de Stichill granted the convent 1,300 acres from his wood ('Attestationes testium,' *F.P.D.*, pp. 220 *seqq.*, *passim*; *Scriptores Tres*, p. 4) 5.

No. 14.

(a) This cannot be Abel de Golyn, the archdeacon of Lothian who had a short tenure of the bishopric of St. Andrews before his death in 1254 (John Dowden, *The Bishops of Scotland*), for, since he issued an indulgence in favour of the fabric of Durham, the prior is unlikely to have styled him incorrectly. An Adam de Golyn, archdeacon of Lothian, however, is found later, and this presumably is our man. He added his seal to a document witnessed by Sir Henry de Prendergust (*North Durham*, no. ccccxviii). Sir Henry occurs in 1265 (*ibid.*, no. dxlv), 1271-82 (*ibid.*, nos. ccccx-xi, ccccxii, ccccxix), and in 1326 (*ibid.*, no. ccccxxi).

#### THE LIBRARY.

No. 15

(a) See statute of Prior Thomas for the convent, 1235: 'Item statutum est per eosdem ut nullus liber accomodetur alicui per librarium, vel per alium, nisi receperit memoriale equipollens; nisi fuerit ad instanciam domini Episcopi' (*Script. Tres*, p. xliii).

No. 17.

(a) 1268 prebendary of South Scarle, Lincoln (*Reg. Giffard*, p. 85); rector of Horkstow (*Rot. Ric. Gravesend*, p. 80); dead by June 1278 (*ib.*).

(b) Presented by the convent to Hemingbrough in 1217-8 (*Reg. Gray*, p. 150); occurs 1248, 1258 and 1259 as archdeacon of Oxford (Le Neve; *Rot. Ric. Gravesend*, p. xxxvii); prebendary of Aylesbury (Lincs) *ante* 1259 (Le Neve); dean of Lincoln *c.* 1258-62 (*ib.*). Robert played an important part in the constitutional struggles of the reign of Henry III (cf. Treharne, *The Baronial Plan of Reform*, p. 272), and died in 1262 (*V.C.H., Lincs*).

(c) Such a volume is listed in *Catalogi veteres librorum eccles. cath. Dunelm.*, ed. B. Botfield (Surt. Soc., vol. 7), p. 16, and they all seem to be part of the benefaction of Prior Bertram (*ob.* 1258). According to Graystones, Bertram procured for the convent 'postillas super Psalterium, Quatuor Evangelia, Epistolas Pauli, Super Job, XII Prophetas, Epistolas canonicas, et super Apocalipsin duplices' (*Scriptores Tres*, p. 44).

#### FABRIC.

(a) The following three pieces are concerned with the building of the Nine Altars (see above, pp. 9, 206). Thomas de Melsonby issued the first appeal in 1332 or 1334 (cf. *Rites of Durham*, ed. Raine, p. 129). and the last indulgence granted to contributors towards this project is dated 1278 (*ib.*, p. 135). In appendix VI to the *Rites*, Raine calendars the various grants of indulgence.

No. 19.

(a) Calendared *Rites of Durham*, p. 134; dated 4 Id. March, 6th year of pontificate.

No. 20.

(a) Calendared *Rites of Durham*, p. 134; dated 3 Kal. March, 8th year of pontificate.

#### GRANTS OF CONFRATERNITY.

(a) See *Obit. Rolls*, ed. Raine (Surt. Soc., vol. 31), p. 106, for a list of letters of fraternity granted by the convent; but the earliest is dated 1315. See also *Archaeologia*, vol. lxxv., 19-60, and vol. lxxix, 178-216, for articles by W. G. Clark-Maxwell on letters of fraternity, in the second of which he gives a list of such grants with which he was acquainted.

## No. 21.

(b) Sancia of Provence, the wife of Richard of Cornwall, died on 9 November 1261 at Berkhamstead.

## No. 22.

(a) The Lord Edward was engaged in many tournaments in the autumn of 1267 [T. Wykes, 'Chronicon,' in *Annales Monastici* (R.S.), iv, 212], and he was in the north of England, and probably in Scotland, in the spring of that year (*D.N.B.*). It was, of course, contrary to canon law to give Christian burial to those killed in tournaments (*Decret.*, lib. v, tit. xiii, cap. 1).

## No. 24.

(a) With the death of Sir Hugh Burnel in 1286, the bishop (see no. 7, n.) was left without brothers, for Philip and William had been killed by the Welsh in 1282 [see *D.N.B.* (Robert Burnel), and R. W. Eyton, *Antiquities of Shropshire*, vi, 121 *seqq.*, where he gives a genealogical table].

## No. 25.

(a) Premonstratensian abbey of Blanchland, in the county of Northumberland and the diocese of Durham (*Collectanea Anglo-Praemonstratensia* (Camden Soc., 3rd Ser., vol. 6), ii, 89).

## THE BEARER OF THE BREVE ROLL.

(a) Raine, in his preface to *Obit. Rolls* (Surt. Soc., vol. 31), p. xxiv, prints a licence of 1312 as the earliest extant.

## GENERAL INJUNCTIONS.

(a) Once a year there was a meeting at Durham of all priors and proctors of its cells (*Script. Tres*, p. xl), and it is probable that general injunctions were issued on these occasions.

## No. 30.

(b) In 1235 Prior Thomas de Melsonby issued regulations allowing great laxity in the eating of meat (*Script. Tres*, p. xlv), and on Thomas's election to the bishopric in 1237 one of the objections to him put forward by the king was that he ate meat both before and after the new prohibition, and that he had given his monks permission to eat it (*ib.*, p. lxxiii). The 'new prohibition' is that included in the constitutions of the Legate Otho, promulgated at the Council of London in 1237 (Wilkins, *Concilia*, i, 649, c. xix), and mentioned in this document. The prohibition was echoed in a statute of the southern Benedictine Chapter in the same year (Pantin, *Chapters of the Eng. Black Monks*, i, 24), and of the northern chapter in 1273 [*ib.*, i, 284 (3)]. It is, therefore, likely that Prior Thomas issued this document either under pressure or as an atonement.

## No. 31.

(a) It was, of course, Achan who committed the sin, and it was in the valley of Achor that he was executed.

(b) A statute of the northern General Chapter in 1221 defines proprietary monks thus: 'Proprietarios vero appellant, qui preter conscienciam abbatis vel prioris abbatem non habentis, aliquid sibi possident, quod non abbas vel prior dederit vel habere permiserit' [Pantin, *Chapters of Eng. Black Monks*, i, 234 (7)]. The practice of obedientiaries employing the gains of their office for personal use is prohibited by a statute of the southern General Chapter in 1219 [*ib.*, i, 12 (22)]. Other injunctions bearing on the same problem were issued in 1249 and 1277 [*ib.*, i, 42 (28a) and i, 85 (6)]. In the northern General Chapter statutes against the evil were made in 1221 and 1287 [*ib.*, i, 238 (31) and i, 257 (18)].

(c) See the financial regulations in the statutes of Prior Thomas, 1235 (*Script. Tres.*, pp. xxxix *seq.*), and below, no. 57. Also cf. rehearsal by Prior John in 1361 of the terms of a constitution, similar to this document, which he attributes to Prior Bertram [*Priory of Finchale*, ed. Raine (Surtees Soc., vol. 6), p. 35, no. xxxix].

(d) Lytham usually had a prior (cf. below, nos. 50-4), and it is surprising to find only two brethren there at this time.

(e) This sentence against disturbers of the peace of the church was pronounced thrice each year: on the Sunday within the octaves of Christmas, on the Sunday of the octave of Easter (*Quasimodo*), and on the Sunday within the octave of St. Cuthbert in September (Prior Thomas's statutes, *Script. Tres.*, p. xli).

#### No. 36.

(a) A Henry occurs as prior of Coldingham in 1248 (*North Durham*, no. cccxiv). This must be shortly after his appointment, for his predecessor, Richard, was still prior in 1247 (*ibid.*, no. cccxxxi). It is probable that the Henry of 1248 is the same person as the Henry de Sylton who was removed in 1259-60 (see below, nos. 40-4), for the priors of Coldingham seem to have had a much longer tenure of their office than the priors of other cells in this period. Coldingham, of course, was the largest and most important daughter house, and probably it was the only one of which the rule was considered an honour and not a burden.

#### No. 37.

(a) An H., sacrist of Coldingham, occurs *post* 1260 (below, no. 47). If this is Henry de Hornecastre, his tenure of the office must be *c.* 1260-*c.* 1265, because in 1265 he is found acting in Howdenshire (below, nos. 127-8), and from that year appears to have been terrier and sacrist of Durham and prior of Coldingham in succession. He occurs as terrier in 1269 [S, fo. 20v (3); Hutchinson, i, 223], and an H., terrier, is found in 1265-7 (below, no. 173). Robert of Holy Island occurs as sacrist in 1265, 1266 and 1269 (below, nos. 134 and 177; Hutchinson, *loc. cit.*), and as prior of Finchale in 1272 (above, pp. 37, 38 &c.); Henry as sacrist from 1272-4 (above, pp. 16, 17 &c.). For Henry as prior of Coldingham, see above, p. 52, note *a*. Less is known about the offices of John de Walkington and William Cuthbert. In 1273 the former is found as sacrist of Coldingham, and the latter as terrier of Durham (above, pp. 37 and 38).

#### No. 39.

(a) This, and the next six documents, and possibly the seventh, refer to the forced resignation of Henry de Sylton and its complications, the reluctance of Henry, and his intrigues with the bishop of St. Andrews, which caused difficulties when Henry's successor, German, was appointed. For Prior Henry see above, no. 36. A Prior German is given the dates 1212-4 by Raine. These documents are datable through evidence in no. 44.

#### No. 44.

(a) Henry returned from France in April 1260 and at Christmas 1262. The second return does not seem to have been followed by a parliament; but in 1260 Henry came back in trepidation and held a parliament in April at St. Paul's (W. Stubbs, *Const. Hist.*, ii, 86; Bémont, trans. Jacob, *Simon de Montfort*, pp. 186-8; Treharne, *The Baronial Plan of Reform, 1258-63* pp. 226 *seqq.*; *Cal. Pat.*, 1258-66, p. 123).

#### No. 45.

(a) These words do not occur in the charter of Bishop Robert, 1127 (*North Durham*, appendix, p. 81), nor in the agreements made between the convent and St. Andrews in 1193 and 1204 (*ibid.*, pp. 85 and 87), none of which is



concerned with this point. Raine gives a note, dated 1439/40, 'Testimonium capituli Dunelm' quod posicio et remotio prioris et sacristae de Cold' pertinent ad ecclesiam Dunelm', et quod dignitas eorundem est tantum temporalis' (*ibid.*, no. dxi, p. 99).

No. 47.

(a) A Roger, prior of Coldingham, is found in 1263 (below, no. 48), in 1267 (*North Durham*, appendix, p. 113), and in 1273 (above, p. 37). The H., sacrist of Coldingham, is probably Henry de Hornecastle (see above, no. 37 and note). It certainly would not be surprising to find the turbulent Henry engaged in such a dispute.

(b) Cf. statutes of Prior Bertram for Coldingham, rehearsed 1362-4 (*The Priory of Coldingham*, pp. 37-8): 'Item serviens sacristae comedit cum valettis prioris quotiens aliunde circa negotia sacristae occupatus non fuerit.'

(c) Cf. statutes of Prior Bertram for Coldingham (*loc. cit.*): 'In primis statuit quod in perpetuum sint duo capellani in ecclesia de Coldingham, et quod singulis annis habeant sua estoveria in cibo et potu, sicut conuentus,' and statutes of Priors Bertram and Ralph for Durham (*Script. Tres*, pp. xxxvii seq.).

No. 47a.

(a) The priory of Coldingham was bound to transmit annually certain sums to Durham (*Script. Tres*, pp. xxxviii and xlii), and it was heavily in arrears with its payments by 1276, when Prior Richard de Claxton made an arrangement concerning them with Prior Henry de Hornecastle (doc. printed *North Durham*, p. 101). This letter probably represents an earlier attempt to collect the money.

No. 48.

(a) Adam pistor witnesses a charter in the time of Prior Thomas, ? 1219-40 (*North Durham*, no. cccxx), and Adam filius Helye pistoris is found twice as witness, once in 1285 (*ibid.*, nos. cclxii and ccviii).

(b) Cf. below, no. 154, and Coldingham grant of corrody, 1279 (*North Durham*, no. dcliii).

No. 50.

(a) See *Rot. Hug. de Welles* (Cant. & York Soc.), ii, 322 and 324, where details of the dispute and of the collation are given.

(b) The *V.C.H., Lancs.*, lists a Stephen de Durham occurring as prior in Jan. 1259 and Feb. 1272. It was unusual for priors of Durham cells to hold office for so long, and there is probably confusion in the list. An S., prior, occurs in 1262 (next document).

No. 51.

(a) This, and the next letter, are an interesting illustration of the working out of the Provisions of Westminster and of the effectiveness of the baronial reforms. William Butler, the defendant of the action, was a cadet member of the family which had settled in Ireland, and which held the wapentake of Amounderness with the lordship of Preston (*The Complete Peerage*, ii, 447). Its dispute with the priory of Lytham over boundaries was longstanding (see note b, and below, no. 53 and note). William Butler was elected sheriff of Lancashire in 1259 in accordance with the baronial reforms (R. F. Treharne, *The Baronial Plan of Reform, 1258-63*, p. 205); but another part of the reform scheme was the effective check of sheriffs, and for this were devised a standing commission in each county to hear complaints against them and general eyres to hear the cases (*ib.*, pp. 185-9). And so we have here, apparently, the sheriff being brought to trial for misdeeds committed during his tenure of office.

This was not the only time that the priory's right to wreck was challenged. In 1292 the king instituted *Quo warranto* proceedings in respect of this right against Durham and Lytham, and the case went against the monks through a legal technicality [*Placita de quo warranto* (Rec. Com.), pp. 369, 370, 386]. In 1295 the king granted the resumed right to his brother Edmund, earl of Lancaster (*Cal. Charter Roll*, ii 461), and the convent seems later to have paid a rent to the earls for the exercise of the right [De Lacy Inquis., *Lancashire Documents, 1311-1422* (Chetham Soc., vol. 74), p. 45; *compotus* of the cell, 1400, in H. Fishwick, *The Hist. of the Parish of Lytham* (Chet. Soc., new ser., vol. 60), p. 86], which was not unprofitable (an item "33/4 arising from 'le wracke' of the sea, and 20/- omitted from the last account" appears in the *compotus* of 1460, *ibid.*, p. 88).

(b) These were the two boundaries of the parish of Lytham on the Ribble foreshore (*Compotus* of 1460 and 1503, printed Fishwick, *op. cit.*, pp. 88 and 91). The cross was on the Lytham-Layton (Blackpool) road, and Mulespole was a ditch (doc. of 1271, quoted *ibid.*, p. 6; see also foundation charter of Lytham, *ib.*, p. 3; and *ib.*, pp. 11-15). The cross separated the prior's foreshore from that of the Butlers, and a great case arose out of trespassing in 1530 (*ibid.*, pp. 11-15).

No. 52.

(a) See false charters, *F.P.D.*, pp. lxviii and lxxii.

No. 53.

(a) Gilbert de Clyfton occurs as sheriff at Michaelmas 1284 [*List of Sheriffs for England and Wales* Lists and Indexes, no. ix.] This document and no. 51 show that the quarrel of the cell with the lords of Weeton and Westby over boundaries, which later was chronic (*V.C.H., Lancs*, vii, 215), began rather earlier than has hitherto been thought. The lords of Westby were the Cliftons, of which family Gilbert was a member. Weeton was the head of the Irish Butler's fee in Amounderness.

No. 54.

(a) Ambrose de Bamburgh is found as prior in 1288 (*V.C.H., Lancs.*).

No. 55.

(a) The octave of Easter was 1 May in 1261.

No. 56.

(a) According to *Rot. Ric. Gravesend*, p. 11, Geoffrey de Castro was presented on 3 September 1262; but this is probably a mistake.

No. 57.

(a) Cf. above, p. 73.

(b) See financial arrangements, *Script. Tres*, pp. xxxix seq.

No. 58.

(a) The presentation is dated 30 August 1263 in *Rot. Ric. Gravesend*, p. 13

No. 63.

(a) Geoffrey de St. Botulf was presented in 1291, resigned in 1292, and became prior again in 1293 (*V.C.H., Lincs*).

No. 68.

(a) William de Montfort was dean of St. Paul's from 1286 until he was struck dead by King Edward's financial demands in 1294. He had been chancellor of Oxford University in 1282. The part which his immediate predecessor in the deanery, Roger de la Leye, 1283-5, had played in the quarrel between Durham and York is not ascertainable. Thomas de Ingelthorpe, who preceded Roger, was appointed on 13 August 1282, by Pope Martin IV, one

of the judges-delegate to consider the definitive sentence secured by the convent against the archbishop of York at the hearing of the case at Stamford in February (*Placitum*, fo. 155v). The dean delegated his powers (*ib.*, fo. 157v), and the sentence against the archbishop was confirmed on 15 January 1282/3 at Northampton by the commissaries of the judges (*ib.*, fo. 161).

(b) A proctor repeatedly employed by the convent during the litigation with the archbishop of York (*Placitum*, *passim*).

#### THE PRIOR'S ARCHID. JURISDIC. IN HOWDENSHERE AND ALLERTONSHIRE.

(a) The liberties of St. Cuthbert in the diocese of York, two groups of parishes known as Allertonshire and Howdenshire, were divided in the thirteenth century between the bishop and convent of Durham according to the patronage of the churches. The franchise had been assimilated to an archdeaconry towards the end of the twelfth century, and the convent administered its share through an official, special commissioners, and the personal intervention of the prior. The portion subject to the convent was composed of the whole of Howdenshire, Howden, Eastrington, Brantingham, Hemingbrough, Skipwith, Walkington, Welton and Holtby, and three parishes in Allertonshire, Northallerton, Kirkby Sigston and West Rounton. The bishop's share was made up of the Allertonshire parishes of Birkby, Cowesby, Leake, Osmotherley and Crayke, the last also exempt from the archiepiscopal jurisdiction. The religious houses within the liberties—the hospital of St. James with its two parish churches, North Otterington and Thornton-le-Street; the hospital or collegiate chapel of Lazenby; and the female priory of St. Stephen's, Foukeholm—were also subject to the bishop, although the first two were both situated in the convent's parish of Northallerton. The nunnery was in the parish of Osmotherley.

#### No. 70.

(a) He is found in 1262 as rector of Dinsdale (below, no. 116), and died in 1265 as rector of Welton (below, no. 143).

#### No. 71.

(a) The presence of a reference to prebendaries in the address (cf. no. 89) makes the document not earlier than 1265, when Howden became a collegiate church. This commission was probably issued because of the reform at Howden; cf. below, no. 134.

(b) Robert, bishop of Durham in 1274, occurs as sacrist in 1265 (below, no. 134) and 1269 (Hutchinson, i, 223).

#### No. 72.

(a) Lambert occurs in 1244 as rector of Bedlington (*North Durham*, p. 368). In 1265 he resigned the church of Kimblesworth to the bishop of Durham because he had been appointed rector of Welton by the convent (below, nos. 143-4). He cannot have held Welton long, for Mr. Hugh of Evesham resigned it in 1272 (*Reg. Giffard*, p. 57). His name is variously spelt—Germium (*North Durham*), Geruim (143), Germin (144), and may well be Giruum (Jarrow).

#### No. 74.

(a) The documents concerning the appointment of Hervey de Derlington to Kirkby Sigston have been scattered. The letters dimissory of Bishop Robert are no. 102, and the presentation to the archbishop is no. 140. See also *Reg. Giffard*, pp. 22 and 24.

(b) Gilbert, vicar of Northallerton, died c. September 1267 (*Reg. Giffard*, p. 43).

(c) Reginald de Frou.

#### No. 75.

(a) Reginald died in 1267 (see no. 74).

## No. 77.

(a) Sir Richard, who was the royal chancellor 1269-72 (Tout, *Charters*, vi, 5), was the first holder of the prebend of Saltmarshe, and had been instituted by 12 October (below, no. 135a). Mr. John de Brompton probably died in that month (below, no. 143). Sir Richard was presented by the convent to Hemingbrough in 1269/70 (*Reg. Giffard*, p. 30), and was still in possession at his death (*ib.*, p. 57). In 1270 he was archdeacon of Northumberland (Le Neve), and in 1272 he was presented to the church of Marnham (*Reg. Giffard*, p. 67). For his death see below, no. 98.

## No. 81.

(a) Mr. Benedict de Hertipol was presented in 1275/6 by the convent to West Rounton (*Reg. Giffard*, pp. 289-90); 1280 presented by the convent to Welton (*Reg. Wickwane*, p. 232); occurs in 1300 ('Gesta Dunelmensia mccc,' p. 23).

(b) Mr. Thomas de Byrland—see note to no. 7.

## No. 84.

(a) Mr. Emery de Rochechouart appears to be a scion of that family from Haute-Vienne which attached itself to Henry III. In 1251 he seems to have been an unsuccessful candidate for the church of Faccombe (*Cal. Pat.*, p. 88); in 1252 the king presented him to Willingham, co. Suffolk (*ib.*, p. 138); he occurs in 1266 as rector of Skipwith (*ib.*, p. 643), and died in possession (*Reg. Giffard*, p. 94). His successor was appointed to St. Mary Magdalene, Blatherwick, in July 1269 (*Rot. Ric. Gravesend*, p. 36).

(b) 1249-50 rector of Ashby Puerorum [*Rot. Rob. Grosseteste*, ed. F. N. Davis (Cant. & York Soc.), p. 126], resigning in 1268/9 (*Rot. Ric. Gravesend*, p. 35); archdeacon of Northumberland (*F.D.*). Roger is found in 1262 as the bishop's official (below, no. 117; cf. nos. 107 and 108), and in April 1268 went to the papal curia on the affairs of the bishop of Durham (*Cal. Pat.*, p. 221).

## No. 85.

(a) Bishop of Lincoln, 1280-99.

## No. 91.

(a) No trace has been left of the residence of Dominicans at Northallerton.

## No. 92.

(a) A Dominican friar and theologian, who became Henry III's confessor, and in 1256 a member of his council. In 1278 he was appointed one of the papal collectors in England, and, about the same time, archbishop of Dublin. He died in 1284, still occupied with the collection of the papal tenth, and without having had time to visit his see (*D.N.B.*).

## No. 96.

(a) Mr. Adam de Derlington, the proctor who made this and the following appeal, although probably never the prior's official, occasionally acted as his representative in the liberties (see above, pp. 16, 208). There can be no doubt that the archbishop could visit the franchise during a general visitation of the diocese; yet there is no evidence that he did so in this period. In 1311 Archbishop Greenfield, *sede Dunelmensi vacante*, visited Allertonshire, but probably only the bishop's churches, and then by devolution [*Reg. Greenfield*, ed. Wm. Brown and A. Hamilton Thompson (Surt. Soc., vols. 145, 149, 151-3), v, 148]. The convent made a concordat, the terms of which are not available, with the archbishop on this subject *ante* 1328 (*Scriptores Tres*, p. 106). For the attitude of Bishop Lewis de Beaumont towards archiepiscopal visitation of the liberties, see *ibid.*



No. 97.

(a) Attempts by litigants to jump the prior's archidiaconal court in the liberties were inevitable, yet to be resisted. For an example of the practice see *Reg. Wickwane*, p. 229.

No. 98.

(a) This capitulation ended a most interesting conflict between the convent and the archbishop; see *Reg. Giffard*, pp. 57, 70, 125 and 304. For Sir Richard see above, no. 77.

No. 99.

(a) False charter of Bishop William, printed *F.P.D.*, pp. lii, *seqq.*

(b) False charter of Bishop William, printed *ib.*, pp. xlvii, *seqq.*

(c) False charter of Bishop William, printed *ib.*, pp. xxxviii, *seqq.*

(d) Charter printed *The Priory of Finchale*, ed. Raine (Surtees Soc., vol. 6), p. 20. See also *V.C.H., Durham*, ii, 103.

(e) Charter printed *The Priory of Finchale*, p. 21.

(f) The charter is mentioned in Surtees, i, xxvi, n.

(g) Richard de Coldingham, a clerk of Bishop Hugh of le Puiset (Surtees, i, 282, 284, 296, 298), was rector of St. Oswald's Elvet 1175-98 (*F.D.*). He was at the same time rector of Bishop Middleham (vicar—*F.D.*), which he farmed ('Attestaciones testium,' *F.P.D.*, p. 250). At his death in 1198 the monks entered both churches; but their custody was disputed by the clerks of Bishop Philip, and at Elvet occurred the notorious starving out of the monkish custodians ['Attest. testium,' *loc. cit.*, *passim*; *Script. Tres*, pp. 19 *seqq.*; *Chronica Rogeri de Hoveden* (Rolls Ser.), iv, 69-70].

(h) The charters of Ralph de Gaugy (*ante* 1158) are printed *History of Northumberland*, ii, 228, n.

(i) This is excerpted from the second confirmation charter of Hugh, printed *ibid.*, ii, 268, n.

(k) Charter printed Hutchinson, ii, 72, n.; dated Farrer, *Early Yorkshire Charters*, ii, 276.

(l) Surtees, i, xxvi, n., mentions two general charters granted by Hugh du Puiset to the convent—'de libertatibus eccles. per dominum Willielmum episcopum concessis' and 'de libera dispositione et institutione omnium ecclesiarum suarum.' It is the latter, presumably, which concerns us here.

(m) For the circumstances of this confirmation see 'Attestaciones testium,' *F.P.D.*, pp. 239 and 248-9; *Script. Tres*, pp. 19 *seqq.*; *Chronica Rogeri de Hoveden* (R. S.), iv, 69-70; and above note f.

(n) Charter printed Surtees, iii, 392.

(o) Charter printed *North Durham*, appendix, p. 139 (close of twelfth century); see also *History of Northumberland*, xi, 96.

(p) See below, note x.

(q) Charter printed Surtees, i, 277, dated 2 Sept. *anno* 2 [1218]. Cf. *Script. Tres*, p. 36. The papal confirmation, dated November 1219, is printed Surtees, *loc. cit.*

(r) Cf. *Script. Tres*, p. 36. Pope Honorius III confirmed this grant in April 1218 (printed Surtees, i, 118).

(s) Walter de Gray confirmed these two churches to the convent in September 1216, *sede Dun. vacante* (*Reg. Gray*, p. 38, n.).

(t) Charter printed *F.P.D.*, p. lxxxvii, dated 22 Sept. *anno* 2 [1218].

(u) Bishop Nicholas Farnham made the original grant in 1247; see above, p. 13

(v) Walter de Gray confirmed it in October 1253 (*Reg. Gray*, p. 39, n.).

(w) The grant is printed Surtees, iii, 306, n. It was to come into effect on the cession or death of the rector, William de Kilkenny. William resigned the church in 1253 (see below, no. 111). The vicarage was taxed at 30 marks.

(x) Charter printed in *North Durham*, appendix, p. 140 (20 July 1251); see also *History of Northumberland*, xi, 96-103. The cell was at the chapel of St. Mary Magdalene, near the churchyard at Warkworth (*ibid.*, v, 195).

No. 101.

(a) In 1249 Walter de Gray, archbishop of York, gave the convent the right to have monks ordained, the chrism made, and churches of the monks dedicated by any English or Irish bishop during a vacancy in the bishopric (*Script. Tres*, p. lxxix), and in 1252 Bishop Walter Kirkham gave a similar permission to the convent, effective during his absence from the bishopric (*ib.*, p. lxxxii).

No. 102.

(a) See note to no. 74.

No. 103.

(a) Thomas O'Miachain, bishop of Achonry (Ireland) 1251-65/6.

(b) Three generations of this Irish family with the same name are living at about this time. John de Cogan, who died in 1278, had a son John, born 8 September 1243, who died during the father's lifetime (before 23 August 1275). John, the younger, also had a son John (*The Complete Peerage*). The eldest John is probably the one who concerns us here.

No. 104.

(a) Possibly Sir Adam de Derlington (see above, pp. 16, 208, 222) or Sir Peter de Montecute (see above, pp. 53, 210).

*Commissions for Presenting.*

(a) Cf. the commission for presenting to churches in the diocese of St. Andrews, June 1281 (*North Durham*, appendix, p. 97) and the general commission of Richard de Hoton, 1302/3 (*Reg. Corbridge*, ii, 133).

No. 107.

(a) See above, pp. 151-2, 210.

No. 108.

(a) See above, *ibid.*

No. 109.

(a) See above, *ibid.*

No. 110.

(a) Bishop Richard gave the monks permission to appropriate Dalton in 1219 (see above, no. 99, p. 148); but the vicarage was not taxed until 1273, when an assignment of revenue was made by the official on the authority of Bishop Robert. The taxation of the official is printed Hutchinson, ii, 573, n., and Surtees, i, 277, and, as stated there, the tithe of hay is included in the vicarage. The tithe of hay from Morton is reserved to the chamberlain of Durham.

No. 111.

(a) A member of a Durham family and connected with its church. He witnesses 'le convent' in 1229 (*F.P.D.*, p. 217) and a charter of Bishop Nicholas in 1242 (*ib.*, p. 186, n.). By 1235 he was in the king's service as a clerk, and he was chancellor of England before his election to the bishopric of Ely in 1254. He died in 1256 (*D.N.B.*). He was archdeacon of Coventry

in 1247, and is found as rector of Heighington in 1249 (*F.D.*). The impropriation of Heighington to the convent presumably followed William's resignation (see above, no. 99, p. 148).

No. 113.

(a) See above, no. 99, p. 147. The vicarage was apparently taxed in 1273 at the same time as those of Dalton and Ellingham (see Hutchinson, ii, 573, n.).

No. 114.

(a) See above, no. 99, p. 146. The vicarage was apparently taxed at the same time as those of Dalton and Branxton in 1273 (see Hutchinson, ii, 573, n.).

No. 115.

(a) These vicars are not listed in the *F.D.* Mr. John de Barton witnesses a charter of the prioress and convent of Berwick (*North Durham*, appendix, p. 113).

No. 117.

(a) In later times the priory of Coldingham paid the vicar of Berwick 5 marks annually (*The Priory of Coldingham*, p. 26).

No. 121.

(a) Cf. Archbishop Gray's confirmation of these pensions, 1224/5, where the pension from Hemingbrough is given as 5 marks *p.a.*, that from Welton as 3 marks *p.a.*, and where Brantingham is shown as including its chapel of Blacktoft (*Reg. Gray*, p. 154).

No. 122.

(a) Peter was the nephew of Bishop Philip (*F.P.D.*, pp. 257-8). Details of the difficulties attending his admission are given *F.P.D.*, p. 280, and *Cal. of Papal Letters*, i, 12. In 1217, as a clerk, he received a safe-conduct from the king (*Cal. Pat.*, p. 37). Rector of Howden c. 1202 to c. 1219 (see next note).

(b) Simon witnesses a charter of Bishop Richard in 1218 (*Reg. Gray*, p. 14, n.). He was admitted to Howden in 1219-20, and his successor in 1223-4 (*ibid.*, pp. 150-1). The dates given in *F.D.* for his tenure of the archdeaconry (1290-1300), and by Le Neve (1296), are manifestly wrong, unless they are for an entirely different person. Simon, when archdeacon, was a benefactor of the convent, for he granted land to the convent's almshouse for the maintenance of three scholars in the school of Durham, who were to be fed and boarded by the convent's almoner (*Script. Tres.*, p. cccxxxi).

(c) Admitted to Howden in 1223-4 (*Reg. Gray*, p. 151), and could have held it for a very short time (see next note).

(d) The second son of Alan Basset, baron of Wycombe, Fulk was elected dean of York in 1239 and bishop of London in 1241. As bishop he was involved in quarrels with the pope, Archbishop Boniface, and the king; but although closely associated with the clerical-baronial opposition, he adhered to the king in 1258, and remained a royalist until his death in 1259 (*D.N.B.*). In the northern province Fulk had the provostship of Beverley and in 1239 the deanery of York (Le Neve). He had dispensation from Pope Honorius III (1216-27) for holding Beverley and Howden, occurs as rector of Howden in 1226 (*Reg. Gray*, p. 7), and resigned the church and his provostship in 1238 (bull of Gregory IX, printed *ibid.*, p. 177).

(e) The son of a country priest, and a royal clerk from his early years, John excelled in both military and administrative affairs. He became the chief adviser of the king, was sometimes entrusted with the custody of the

great seal, and through his position received so many benefices that he is reputed to have refused several bishoprics. He was provost of Beverley in 1250 (Le Neve), and treasurer of York in 1256, and occurs in 1264. He died in France in January 1265, two years after his expulsion by the barons from England (*D.N.B.*). He was rector of Howden before July 1240 (see below, no. 123 and n.).

(f) Possibly the clerk who became bishop of Durham: see *F.D.* for benefices. In 1226 a grant was made, with the assent of Fulk Basset, rector of Howden, and of the prior and convent, to Walter de Kirkham of the title of corn belonging to the chapel of Eastrington, 'nomine simplicis beneficii' and without cure of souls and episcopal burdens, in return for a pension to the rector of Howden; the which grant was to revert to the rector if Kirkham died or resigned (*Reg. Gray*, p. 7).

No. 123.

(a) The following four documents are concerned with King Henry's successful attempt to force the convent to appoint his clerk, John Maunsel, as rector of Howden. The convent, apparently, wished to retain the church for their own use (no. 123); but a bull of Pope Gregory IX, dated July 1240, for the impropriation of Howden was not secured until after Maunsel had been accepted, for it was not to be effective until his cession or death (*Calendar of Papal Letters*, i, 192; *Script. Tres.*, p. 47).

No. 127.

(a) John Maunsel died c. 20 January 1265 (*D.N.B.*).

No. 130.

(a) The next four pieces, and nos. 122, 136 and 138, concerning the ordination of prebends in Howden church, and the vicarage of Eastrington, are written in at least two hands of the early fourteenth century in *S*, ff. 65<sup>v</sup>-67. They are repeated in exactly the same order in one hand of the end of the century on ff. 77-81 (*S*<sup>2</sup>). It appears then that the second collection is probably a copy of the first. One of these pieces also occurs on fo. 27<sup>v</sup> (*S*<sup>1</sup>), and a collation of the texts shows that while *S* and *S*<sup>2</sup> frequently agree against *S*<sup>1</sup>, *S*<sup>1</sup> and *S*<sup>2</sup> never combine against *S*. This makes it perfectly clear that the texts of *S* and *S*<sup>2</sup> are not independent. *S*<sup>2</sup>, however, has some unique headings, and it has also been used to fill lacunae in the text of *S*, caused by a defect in the *MS.* This defect may have been existent when *S*<sup>2</sup> was copied, for it seems to explain some of the variations between *S*<sup>1</sup> and *S*<sup>2</sup>. William Brown ('The institution of the prebendal church at Howden,' *Yorkshire Archaeological Journal*, xxii, 166-72) has used these documents.

(b) William de Langton, or de Ruderfeld.

(c) Hugh of Cantelupe, Rayner de Skipton, and Simon de Evesham.

No. 132.

(a) For the identification of these places, and others mentioned in these documents concerning Howden, see Wm. Brown, *op. cit.*

No. 134.

(a) For Robert of Holy Island's commission see above, no. 71.

No. 135a.

(a) For Sir Richard's induction see no. 77.

(b) Rector of Brancepeth 1254, occurring in 1269 and 1282 (*F.D.*). In 1282, as parson of Brancepeth, he was accused of trespass (*Cal. Close*, p. 193), but his successor had been admitted to Howden on 26 December 1281 (*Reg. Wickwane*, p. 232). It is not clear whether he had merely resigned his prebend or had died before the proceedings.



(c) Mr. Hugh became famous for his knowledge of mathematics and science, and was called to Rome in 1280 to give his opinion on certain medical questions. He was appointed the papal physician by Martin IV, and made a cardinal in 1281 with the title of St. Laurence in Lucina (*D.N.B.*). According to the same authority he spent the rest of his life at Rome, where he acted as proctor for the archbishop of York. He died in 1287. Nevertheless, Hugh's relations with Durham were intimate. He had held the rectory of the convent's church of Welton before 1272 (*Reg. Giffard*, p. 57); the monks are seen in touch with him in 1274 after the election of Robert of Holy Island to the bishopric (*Script. Tres*, p. lxxxvi); they appealed to him in the summer of 1281 for help against the archbishop of York (*Placitum*, fo. 138v), and it was through the cardinal's mediation that the great quarrel was settled in 1286 (*Script. Tres*, p. 73).

(d) The king, having the guardianship of the vacant archbishopric, tried to present that notorious pluralist, Bogo de Clare, to the rectory of Howden on 15 September 1265 (*Cal. Pat.*, p. 449; cf. p. 520). Henry was, of course, mistaken in his claim; but the convent and the newly-instituted prebendaries must have thought it advisable to buy Bogo off with a pension. His annual allowance was probably the handsome sum of 200 marks, for the convent is found paying him 100 (above, no. 7). Docs. no. 134 and 135 also seem to concern this business.

No. 136a.

(a) See above, p. 226 (no. 130).

No. 138.

(a) See above, p. 226 (no. 130), and nos. 132-3.

No. 139.

(a) Sir Nicholas was canon of Westbury-on-Trym (Glouc.) (*Reg. Giffard*, p. 14), and seneschal of Archbishop Walter Giffard (*ibid.*, *passim*). He is found in 1270 as rector of Kinwarton (*Cal. Pat.*, p. 460), and in 1283 witnesses a grant to Sir Robert Burnel (*Cal. Close*, p. 239). A commission of oyer and terminer was issued to him in 1279 (*Cal. Pat.*, p. 313).

No. 140.

(a) See note to no. 74.

No. 141.

(a) Sir John de Brumpton died in 1265 as rector of Welton (see note to no. 70).

No. 144.

(a) Archdeacon, 1256-75.

No. 145.

(a) Nicholas occurs as hostiller in 1269 (Hutchinson, i, 223).

No. 146.

(a) Hugh Warner was presented to the bishop on 11 December 1263 (*Rot. Ric. Gravesend*, p. 14), and his successor in 1267/8 (*ibid.*, p. 26).

(b) Robert de St. Agatha.

#### CHAPELS AND CHANTRIES.

(a) In 1185-6 Pope Urban III, and in 1217 Pope Honorius III, gave the convent the privilege that no church or oratory should be built within its parishes without its consent (*Script. Tres*, pp. lviii and lxxiii). Cf. the following grants by the convent: 1157 at Hilton, parish of Monk Wearmouth (Surtees, ii, 379); 1156-62 at 'Kinebriggeham' (? Kimmerghame House), parish of Edrom (*North Durham*, append., p. 96); 1184 at Hardwick, parish

of Monk Hesleden (Surtees, i, 282); late twelfth century at Lamberton, ? then in parish of Berwick (*North Durham*, append., p. 112); 1190-1215 at Romanby, parish of Northallerton (Farrer, *Early Yorkshire Charters*, ii, 295); 1214-33 at Stichill, parish of Ednam (*North Durham*, append., p. 96); 1265 at Prendergust, parish of Ayton (*ibid.*, p. 97); 1267 in Berwick-upon-Tweed (*ibid.*, p. 113); 1270/1 at Chilton, parish of Merrington (Surtees, iii, 411); 1278 at West Reston, parish of Ayton (*North Durham*, append., p. 97); 1325 at Dalden, parish of Dalton-le-Dale (Surtees, i, 278). Cf. also oath of the chaplain of Hilton, 1249 (*ibid.*, ii, 380).

No. 147.

(a) R. de Clifford (see next piece). There were several R. de Cliffords at this time: see Tout, *Charters in Med. Admin. Hist.*, iv, 382, n., for the family. To Roger de Clifford, who died in 1282 *vita patris*, a son and heir Robert was born in 1274, who had seisin of his inheritance in 1295, and was killed at Bannockburn in 1314 (*The Complete Peerage*).

(b) ? Moorhouse, near Durham.

No. 148.

(a) In 1358 Johana, widow of Robert de Applynden, held of the heirs of Simon de Eshe (the lords of the manor of Hutton) a messuage in the vill, burdened with several payments including 1 lb. of wax to the sacristan of Durham (Surtees, i, 59). This may be on account of the chapel.

No. 149.

(a) R., abbot of St. Agatha, Easby (occ. 1230), and the convent bound themselves to maintain a chaplain and a clerk for ever to celebrate divine service in the chapel of the Holy Trinity in the churchyard of Melsonby for the souls of Masters Alan and Henry of Melsonby, their ancestors and successors. Alan was formerly a rector of Melsonby. The chapel adjoined the parish church, and was still served by a chantry priest in 1546 [*V.C.H.*, *Yorkshire, N. Riding*, i, 109; *Yorks. Chant. Survey*, ed. Wm. Page (Surt. Soc., vol. 91), i, 147]. Alan and Henry of Melsonby were also benefactors of Durham, and the anniversary of Alan was celebrated by a pittance for the monks and the feeding of 300 poor people, while for the soul of Henry a chantry priest celebrated on all festivals in the chapel in a porch at the west end of the north aisle of the choir (*Script. Tres*, pp. xxxviii seq., and above, p. 215, no. 7).

No. 151.

(a) Memorandum of this transaction to be found *North Durham*, appendix, p. 97. Sir Thomas occurs as sheriff of Berwick (*ibid.*, no. cxxxviii), sheriff of Roxburgh in 1269 (*Calendar of Docs. Relating to Scotland*, i, 555, no. 2680), chamberlain of King Alexander in 1277 (*ibid.*, ii, 23, no. 96), and justice errant in 1279 (*ibid.*, ii, 53, no. 168).

(b) Charters of a David de Paxton are to be found in *North Durham*, appendix, pp. 46 and 68, and his occurrence as a witness, *ibid.*, p. 55.

No. 152.

(a) There is just a possibility that this is a letter of the intruded prior, Henry de Luceby, because we know that one of the charges against his predecessor, Richard de Hoton, was that he granted wardships and marriages of Coldinghamshire to his relatives at will (*Script. Tres*, p. 75), and also that Luceby used the common seal of the chapter to revoke all the acts of his enemies ('*Gesta Dunelmensia mccc.*' p. 40). But it is probably better to assign it to the second priorate of Hugh de Derlington, for Hugh, also, was not entirely satisfied with the actions of his predecessor (*Script. Tres*, p. 72). Such nepotism was prohibited by the first Northern General Chapter of the Benedictines (Pantin, *Chapters of the English Black Monks*, i, 233).

(b) Cf. memorial on the service owed to the prior of Durham from Coldinghamshire, 1235 (*The Priory of Coldingham*, p. 241; *Script. Tres*, p. xli seq.): 'Et omnes dicti homines [*including* heredes de Paxtona], et eorum heredes, debent esse in custodia prioris Dunelmensis, et terrae eorum, usque ad legitimam aetatem heredum.'

No. 153.

(a) Cf. manumissions of Prior Thomas (printed Surtees, i, 277), and of Prior Hugh, 1266 (*ibid.*, iii, 410).

No. 154.

(a) Cf. above, no. 48.

No. 157.

(a) This description is suitable to Hugh de Derlington, who resigned his first priorate in 1272/3. While Hugh was in retirement, the question of his confessor caused an exchange of sharp words with the sub-prior, Richard de Hoton (*Script. Tres*, p. 72).

No. 158.

(a) See no. 13 and note.

No. 159.

(a) The convent was engaged in at least two important quarrels with Bishop Robert. One was over the right of visitation, which lasted three years [*Chronicon de Lanercost*, ed. J. Stevenson (Maitland Club), p. 70], and the other concerned the profession of monks (see above, pp. 26-35).

No. 160.

(a) When Robert of Holy Island, bishop of Durham, died, he was heavily indebted to the convent. Being only a monk, he had had to borrow money for his election expenses, and the great quarrel with York had intensified the financial burden. Lists giving some of the bishop's debts to the monastery are extant (*Script. Tres*, pp. lxxxv-xci). The executors of the bishop apparently resisted the claims of the convent, probably because there were other heavy demands on the estate (cf. *ibid.*, p. xcii), and the convent secured papal letters in April 1288 appointing a judge to hear the case (*ibid.*, p. xcvi).

(b) The other executors were Thomas de Leuesham, rector of Stanhope (see above, p. 23, n.), Henry de Insula, a lay man, and others, according to a bull of Pope Nicholas (*Script. Tres*, p. xcvi); Guischart de Charron (a guardian of the bishopric during the vacancy), and others, according to a bull of Pope Martin (*ibid.*, p. xcii).

No. 163.

(a) King Edward was at Woodstock 10-16 March 1286 (*Cal. Pat.* and *Cal. Close*), and left for France with Robert Burnel in May [Rymer, *Foedera* (1727), ii, 320]. The truce between France and Aragon was published in July (*ibid.*, ii, 330-2); but Bishop Anthony was still in England in August (*ibid.*, ii, 339), and protection for persons going abroad with him was granted in December (*Cal. Pat.*, pp. 261-2). On 28 July 1287 Anthony witnessed the marriage between Alfonso, king of Aragon, and Eleanor, Edward's daughter, at Oloron (Rymer, *op. cit.*, ii, 350), and he was back in England by April 1288 (*Cal. Pat.*, p. 294). The reason for Anthony's failure to go abroad with the king in May (a course indicated in this letter) is probably to be found in the negotiations for a settlement of the quarrel with York, which were successfully completed on 2 November 1286, and Anthony's seal is attached to the agreement [*Script. Tres*, pp. 73 and xciv; *Historians of the Church of York*, ed. Jas. Raine (Rolls Ser., 1879-94), iii, 212]. For Edward's mediation see Margaret R. Toynbee, *St. Louis of Toulouse* (Univ. of Manchester, Hist. Ser., no. 55), pp. 50, seqq.

No. 164.

(a) The next three pieces probably concern the events preceding the termination of Hugh de Derlington's second priorate. We know from Graystones that in 1289 the monks found the behaviour of Hugh intolerable, and that while he was at Finchale they sent secretly two of the brethren to London to denounce to the bishop the senility of the prior and the defects of his government (*Script. Tres*, p. 73). The letter they carried must be no. 165. Graystones adds that when Hugh heard of this he sent a rival embassy which offered to give the bishop a large sum of money if he would not listen to the convent's petition, and no. 166 may be the prior's missive. No. 164 is probably an earlier letter, for its frank avowal of the state of the prior's health hardly suits the last stages of these negotiations, which ended in Hugh's resignation on 11 March 1289/90.

No. 165.

(a) See note to no. 164.

No. 166.

(a) See note to no. 164.

No. 167.

(a) The Northern General Chapter of the Benedictines decreed at York in 1279 that the next chapter should meet at Selby in 1282. This was postponed owing to the quarrel between Durham and York, and at a meeting at Northallerton (to which this letter refers) it was arranged that the chapter should be held at Selby on 5 May 1287 (Pantin, *Chapters of the Eng. Black Monks*, i, 252-3).

(b) Simon de Warwick.

No. 168.

(a) This proxy cannot be placed. The General Chapter only met once at Northallerton in this period (see no. 167); but the date given here (4 October) does not fit that meeting.

(b) Simon de Warwick, 1258-96.

(c) William de Brineston, 1259-65, or possibly William de Kirkham, 1278-1304.

(d) Thomas de Whalley, 1254-63, 1270-80.

#### THE CONVENT AND THE CARDINAL-LEGATE OTTOBONO.

(a) Papal legate in England, 1265-8, having been dispatched to help the king against the baronage; see Gasquet, *Henry III and the Church*, pp. 401-416. For aspects of his ecclesiastical activity see articles by Miss Rose Graham, *English Hist. Rev.*, vols. 15 and 33.

No. 170.

(a) See Gasquet, *Henry the Third and the Church*, pp. 408-10.

No. 172.

(a) A letter of Ottobono's to the clergy of the Northern Province, dated 7 July 1267 (*Reg. Giffard*, pp. 97-9), reveals that the clergy had shortly before been summoned to a council at London to deal with the problem of the Disinherited. The proxy is probably for this council.

No. 173.

(a) Rufinus de Tonego had died by 21 May 1267 (*Reg. Giffard*, p. 154).

(b) Henry de Horneastre occurs as terrier in 1269 [*S*, fo. 20<sup>v</sup> (3); Hutchinson, i, 223].



(c) Roger de Methley occurs as almoner in 1269 (Hutchinson, *loc. cit.*).

No. 175.

(a) Poncius Nicholai was an unsatisfactory papal agent. About the year 1263 the pope ordered him to make inquiry about a case concerning various Scottish barons, but he exceeded his instructions, cited the king and barons beyond the realm, was prodigal with sentences of excommunication and interdict, and caused such a scandal that in January 1264 the pope, at the request of the king of Scotland, put the conduct of the case into other hands (*Cal. Pap.*, i, 408-9). Poncius then indulged in crime. He forged letters of Pope Urban through which he obtained money from persons in France and in all the British Isles. In May 1266 the pope announced that the forgery had been discovered, the forger imprisoned by the bishop of Langres, and the money collected assigned to certain merchants according to papal mandate, and ordered that all the holders of securities given by Poncius were to surrender them to the papal collectors (*Cal. Pap.*, i, 424)—which was hard luck on the defrauded. This document is presumably an illustration of the provost's criminal activities.

No. 177.

(a) It is possible that Robert of Holy Island's business at the royal court was concerned with the church of Howden; see note to no. 127, and nos. 127-136.

No. 177a.

(a) See above, p. 9, note a.

No. 178.

(a) Adam of Pennington, abbot of the Cistercian house of Newminster, near Morpeth in Northumberland. Oliver, 'A List of the Abbots of Newminster', *Arch. Ael.*, 3rd. Ser., xii, 219, notes charters agreements to which Adam was a witness or party covering the period 1255-74. He died or resigned before 1279.

(b) St. Augustine, according to *M*, mem. 2 dorse (1), where the same passage, 'misericordia est humane . . . dei misericordia recipit penitentes,' occurs. *Misericordia* is a favourite topic of the African Father, and the context has not been found. Compare, however, 'Quis non habet istam misericordiam Dei, primo ut sit, ut discernatur a pecoribus, ut rationale sit animal,' *Enarratio in Psalm.* 35, cap. 7.

No. 179.

(a) Austin priory of Newburgh, north of York.

(b) Austin priory of Healaugh Park, south-west of York.

No. 180.

(a) In 1263 the Council appointed keepers of the peace in all the counties, with the aim of largely superseding the sheriffs. The language of this writ is similar to that appointing John de St. Valery *custos pacis* in Hampshire (*Cal. Pat.*, 20 July 1263, p. 271); but the writ appointing John d'Eywill to the office in the county of York, dated 6 August, is differently phrased, and refers exclusively to the protection of ecclesiastical rights (*ibid.*, p. 273). Perhaps the writ given here is the original appointment in July. See Treharne, *The Baronial Plan of Reform, 1258-63*, pp. 316-9, for the historical background.

No. 181.

(a) Cf. Rymer, *Foedera* (1272), i, 792.

No. 182.

(a) The only other source for the history of this council is Bartholomew Cotton's *Historia Anglicana* [ed. H. R. Luard (Rolls Ser.), pp. 199-210]. Cotton gives documents relative to the calling of the council, and then jumps to the actual discussions, omitting the postponements and arrangements of which we are informed in this document. He makes the five articles of discussion given in the 'Durham' account into seven, by the sub-division of two of them. The replies in the 'Durham' account show this sub-division; but it is uncertain whether Cotton elaborated the articles or the Durham correspondent simplified them. From the 'Durham' account we learn that the preliminary discussion was on a diocesan basis, and Cotton gives the replies of the Norwich committee to the articles, together with a selection from the responses of the other bodies. What, then, are the replies in the 'Durham' account? If the author of the document is indeed Mr. Reginald de Brandon, as we believe, there are two possibilities: either they are the London replies, for Reginald was a canon of St. Paul's, or they are the sifted and official version, for he was one of the proctors sent to Rome. It seems obvious that a man sending a report of an important council to a friend at Durham, when he was in a position to know the result of the deliberations, would transmit the final conclusions and not tentative suggestions. This assumption is reinforced by the logical arrangement of the account, so different from that found in Cotton. It is rather strange to find this report of a convocation of the southern province on the roll of a northern convent; but Mr. Reginald de Brandon, one of the nuncios elected to carry the results of the deliberations to Rome, had been a clerk of the convent, and was still closely associated with Durham (see above, no. 8, note *a*). Hence it seems reasonable to believe that he was the author of this inelegant piece of Latinity.

(b) Richard Gravesend.

(c) Richard Swinfield.

(d) Thomas de Fyndone.

(e) Bartholomew de Winton.

(f) Robert de Elenton.

(g) ? Philip de Bedwinde.

(h) Ralph Baldock; dean in 1294, and bishop of London in 1306.

## Calendar of the Rolls and Formularies

Details are given only of those documents, which have not been printed. The others are indicated by the number under which they appear above.

### I. DURHAM D. AND C. MUNIMENTS, Misc. 5712.

The order is as follows: mem. 1-5 recto; 1-5 dorse; 6 recto; 6 dorse; 7 recto; 7 dorse; 8 recto; 8 dorse; 9-14 recto; 9-11 dorse.

*Membrane 1, recto.*

#### PROXIES.

1. Proxy of Prior Hugh [de Derlington] and convent for acting before Pope Alexander [IV]. [1258-61.]
2. Another proxy, ? for same.
3. Proxy in the case between the convent and Mr. S. at the papal curia.
4. Another proxy, ? in the same.
5. Proxy for excusing the absence of the prior at the hearing of the suit.
6. Proxy for acting for the convent in the suit against Mr. S. before the chancellor of Amiens (*Ambior'*—but see no. 7) and John, canon of Arras (*Attrab'*).
7. Another proxy for acting in the same suit before the chancellor of Amiens (*Ambian'*) and John, canon of Notre-Dame, Arras (*Attrab'*).
8. Proxy for acting before ordinaries or judges delegate.
9. A general judicial proxy.
10. Proxy for excusing the absence of the prior at the papal court at the hearing of the case *re* Mr. S.
11. **168.** [1259-63; 1286-90].
12. General proxy.

#### CONTRACTS.

13. Obligation to repay 20 M., if borrowed by the convent's nuncios at the papal curia, and if approved by Mr. R. de N. [Robert de St. Agatha], papal chaplain and archdeacon of Durham, or by others. [1256-75].
14. **144a.**
15. Acknowledgement of a debt of £20.
- 15a. Acknowledgement of a loan of 20 M. made on 12 June 1258 by Mr. I. de N., to be repaid at the convent before 18 Nov.
16. (also *L, mem. 2 recto* (7)) Acknowledgement of loan, 1x<sup>o</sup> [*sic*] Henry III (? 1260).
17. **15.** (1259)
18. **16.** [c. 1259].

## LETTERS OF ATTORNEY.

19. **67**.  
 20. **135**. [? 1265].  
 21. **38**. (1269).

## APPEALS.

22. **46**. [? 1260].  
 23. (also *S*, fo. 20 (2) ) **159**. [1261-74].  
 24. (also *S*, fo. 20v. (2) ) **66**.

*Membrane 2, recto.*

1. (also *S*, fo. 20 (3) ) **96**.  
 2. (also *S*, fo. 20v. (1) ) **97**.  
 3. Appeal of Prior Bertram against papal collectors, 1256 (also appears in the Durham annals; see above, p. 11, where collated.)

## RESIGNATIONS AND PRESENTATIONS.

4. **39**. [? 1259-60].  
 5. **40**. [? 1259-60].  
 6. **41**. [? 1259-60].  
 7. **42**. [? 1259-60].

*Membrane 3, recto.*

1. (also *L*, mem. 2 recto (18) ) **43**. [? 1259-60].  
 2. **45**. [? 1260].  
 3. **62**.  
 4. Resignation of a church (cf. *S*, fo. 21v. (2) ). [? 1263].  
 5. Form for the presentation of a clerk to the archbishop of York for admission to a church.  
 6. (also *S*, fo. 18 (5) ) **145**. [? 1258-65].  
 7. Proxy for receiving a benefice.  
 8. (cf. *S*, fo. 19v. (4) ) **4**.  
 9. (cf. *S*, fo. 19v. (5) ) **6**. [1244-58].  
 10. (also *S*, fo. 26 (4) ) **112**. [post 1247].  
 11. **117**.  
 12. (also *L*, mem. 2 recto (10) and *S*, fo. 18v. (2) ) **140**. [1267].

## HOWDENSHERE AND ALLERTONSHIRE.

13. (also *S*, fo. 18v. (3) ) **74**. [1267].

*Membrane 4, recto.*

1. (also *S*, fo. 25v. (2) ) **100**. [c. 1268-73].  
 2. (also *S*, fo. 25 (8) ) **102**. [? 1267].  
 3. (also *L*, mem. 2, recto (5) ) Letters dimissory for a clerk.  
 4. (also *L*, mem. 2, recto (6) and *S*, fo. 25 (9) ) **103**. [1251-66].  
 5. (also *S*, fo. 25 (7) ) **77**. [1265].  
 6. **106**.  
 7. **147**.



8. (cf. *S*, fo. 23v. (5) ) **141.** [? 1263].
9. (cf. *S*, fo. 23v. (6) ) **142.** [? 1263].
10. (also *S*, fo. 22 (2) ) **89.** [1258-65].
11. **90.** [1258-73].
12. (also *S*, fo. 22 (3) ) **179.**
13. (also *S*, fo. 23v. (7) ) **75.** [*ante* 1267].
14. (also *S*, fo. 24 (1) ) **78.** [*ante* 1267].
15. **79.** [*ante* 1267].
16. **10.**
17. (also *S*, fo. 21v (3) ) **71.** [? 1265].
18. (also *S*, fo. 22 (1) ) **72.** [? 1265-73].
19. (also *S*, fo. 21v. (4) ) **134.** [1265].

*Membrane 5, recto.*

1. (also *S*, fo. 23v. (2) ) **127.** [1264/5].
2. (also *S*, fo. 23v. (3) ) **128.** [1264/5].

LETTERS DIMISSORY.

3. **18.** [1258-73].
4. **150.**
5. **93.** [1265-73].
6. **94.** [1265-73].
7. Similar form.
8. (cf. *S*, fo. 23 (5) ) **28.** [1258-73].
9. (also *S*, fo. 26 (1) ) **155.** [1258-73].
10. Permission for the nuncios of the master and brethren of a hospital to beg.
11. **22.** [? 1267].
12. **23.** [? 1267].
13. (also *S*, fo. 19v. (6) ) **153.**
14. **95.**

*Membrane 1, dorse.*

1. 'A.D. 1274' chronicle (see above, pp. 36-43). Note as to continuation: 'Require decretum huius eleccionis cum procuratorio prosequende eleccionis et littera presentacionis ad regem et visitacione archiepiscopi Ebor' facta in capitulo Dun' in fine huius rotuli, ad hoc signum oo-o.'
2. **156a.** [*post* 1274].

*Membrane 2, dorse.*

(DISCIPLINE AND INJUNCTIONS)

1. (also *L*, mem. 2 recto (9) ) Plea for the reception of a fugitive monk.
2. (also *S*, fo. 24v. (1) ) **178.** [1258-73].
3. (also *S*, fo. 25v. (1) ) **12.** [1258-73].
4. (also *S*, fo. 16v. (2) ) **47.** [1260-? c. 5].
5. (also *S*, fo. 17v. (3) ) **57.** [1261-2].

*Membrane 3, dorse.*

1. **13.**
2. (also *S*, fo. 17) **47a.** [*ante* 1273].
3. **31.** [1258-73].

*Membrane 4, dorse.*

## (PETITIONS)

1. **169.**
2. (also *I*, mem. 2 recto (8) ) **32.**
3. **33.**
4. **34.**
5. A similar petition.
6. A similar petition.
7. **35.**

*Membrane 5, dorse.*

1. 'Sortitur genitrix discrimina sobolis.' [Pope Alexander IV] orders [a Scottish prelate] to come to the aid of the church in the affair of Sicily. (Similar to the letter of Alexander to Mr. Rostand, 27 Sept. 1256, printed Rymer, *Foedera*, i, 608).
  2. (also *S*, fo. 18v. (1) ) **91.** [1262].
  3. (also *S*, fo. 24 (2) ) **92.** [? 1262].
- Line blank.
4. **76.**
  5. **121.**
  6. **156b.** [1276-7].

*Membrane 6, recto.*

1. **123.** [*c.* 1239].
2. **125.** [*c.* 1239].
3. **126.** [*c.* 1239].
4. **124.** [*c.* 1239].
5. **9.**
6. Letter of thanks for benefits received.
7. Royal letter requesting a vacant benefice for a clerk, Mr. W. de N.
8. Letter supporting the claims of the royal clerk.
9. Another letter in support.
10. A man asks for aid for his brother.
11. **137.** [*post* 1265].

*Membrane 6, dorse.*

1. Letter to ? a judge on behalf of a servant of the convent who has been deprived of money.
2. Letter on behalf of a clerk who claims to have been deprived of land.
3. **104.**
4. **52.** [? *c.* 1262].

5. (also *S*, *fo.* 23*v.* (1) ) **48.** [1263].
6. (also *S*, *fo.* 25*v.* (4) ) **181.** [1264].
7. **180.** [? 1263].
8. Anthony [Bek], bishop of Durham, informs King Edward that Walter of Edelingham, knight, Richard of Parva Tussan' and William are obdurate excommunicates.

Five lines erased.

Twenty lines blank to the end of the membrane.

*Membrane 7, recto.*

1. **177a.** [? Autumn 1240].
2. 'Quam liberaliter et magnifice vestre miseracionis dignacio.' The convent informs [Richard Poore, dean of Salisbury], whom it has elected to the bishopric, that it has been forced by the legate to postulate [John de Gray, bishop of Norwich]. [1214.]
3. 'Inter continuos seuientis mundi turbinos et procellas.' The convent informs the pope of its misery during the episcopal vacancy, already more than two years long. [May or June 1239.]

*Membrane 7, dorso.*

1. 'Quod per mortem N., vestri quondam pastoris.' ? The Lord Edward recommends a candidate for the bishopric to the convent.
2. 'Luxit et clanguit in dolore et tristicia.' The convent begs the man they have elected to the bishopric (? Nicholas Farnham) to accept the honour.
3. **30.** [? c. 1237].
4. 'Gracias non cessamus graciaram referre largitori.' The convent informs an archbishop or bishop that it will accept his candidate for the bishopric.
5. 'Ex litterarum vestrarum nuper nobis transmissarum sententia.' The convent informs the pope that it stands by its election (? of Thomas de Melsonby), and is prepared to resist the royal candidate.

*Membrane 8, recto.*

Begging letters without titles or initials.

*Membrane 8, dorso.*

1. Brother R. offers his services.
2. 'Super diligencia et solitudine.' ? a cardinal is asked to help the convent's nuncios at Rome (? cover to *M*, *mem.* 7 *recto* (3) ).
3. 'Cum apud emulatores veritatis ac iusticie.' The convent asks its correspondent to intervene with the legate and to help the church, oppressed by the long episcopal vacancy.

4. **158.**
5. (also *L, mem. 2, recto* (11)) Rhetorical form.
6. (also *L, mem. 2, recto* (12)) Rhetorical form.
7. (also *L, mem. 2, recto* (13)) Petition for counsel.
8. (also *L, mem. 2, recto* (14)) Letter of credence for nuncio.
9. Form for a petition.
10. (also *L, mem. 2, recto* (15)) Form for a petition for help for the convent's nuncios at the royal court.
11. (also *L, mem. 2, recto* (16)) Rhetorical form.
12. Form for a petition.
13. (also *L, mem. 2, recto* (17)) Form for a letter of reproach.
14. **129.** [?1265].
15. Rhetorical form.
16. Rhetorical form.

*Membranes 9-14 recto.*

1. 'A.D. 1272/3' chronicle (see above, pp. 27-30).
2. Conclusion, from *mem. 1 dorse*, of 'A.D. 1274' chronicle.

*Membranes 9-11 dorse.*

1. Statutes of General Chapters of York, 1221-93 (collated with other texts in W. A. Pantin, *Chapters of the English Black monks*, Camden Soc.).

*Membranes 11-14 dorse.*

Blank.

II. BRITISH MUSEUM, STOWE 930, ff. 15-26v.

*Folio 15 recto.*

1. Proxy of Prior Bertram. [1244-58].
2. A similar form.
3. **36.** [1248-58].
4. An abbot, judge delegate, commits his powers. Dated at York.
5. A similar commission.
6. **172.** [1267].

*Folio 15 verso.*

1. **171.** [? 1265].
2. **174.** [1265-8].

*Folio 16 recto.*

1. **173.** [1265-7].
2. **170.** (1265).
3. **51.** (1262).
4. **21.** [1261].



*Folio 16 verso.*

1. **44.** [? 1260].
2. (also *M*, *mem.* 2 *dorse* (4) ) **47.** [1260-? c. 5].

*Folio 17 recto.*

1. (also *M*, *mem.* 3 *dorse* (2) ) **47a.** [*ante* 1273].

*Folio 17 verso.*

1. **55.** (1261).
2. **56.** (1261).
3. (also *M*, *mem.* 2 *dorse* (5) ) **57.** [1261-2].

*Folio 18 recto.*

1. **58.** (1262/3).
2. **59.** (1262/3).
3. **60.** (1262/3).
4. **61.** [1263].
5. (also *M*, *mem.* 3 *recto* (6) ) **145.** [? 1258-65].

*Folio 18 verso.*

1. (also *M*, *mem.* 5 *dorse* (2) ) **91.** (1261/2).
2. (also *M*, *mem.* 3 *recto* (12) and *L*, *mem.* 2 *recto* (10) ) **140.** [1267].
3. (also *M*, *mem.* 3 *recto* (13) ) **74.** (1267).

*Folio 19 recto.*

1. **139.** (1268/9).
2. **50.** (1233).
3. **143.** (1265).
4. **20.** [c. 1265].

*Folio 19 verso.*

1. **19.** [1250/1; 1262].
2. Form for contract.
3. Form for letter of presentation.
4. (cf. *M*, *mem.* 3 *recto* (8) ) **5.**
5. (also *M*, *mem.* 3 *recto* (9) ) **6.** [1244-58].
6. (also *M*, *mem.* 5 *recto* (13) ) **153.**

*Folio 20 recto.*

1. **107.** [*ante* 1278].
2. (also *M*, *mem.* 1 *recto* (23) ) **159.** [1261-74].
3. (also *M*, *mem.* 2 *recto* (1) ) **96.**

*Folio 20 verso.*

1. (also *M*, *mem.* 2 *recto* (2) ) **97.**
2. (also *M*, *mem.* 1 *recto* (24) ) **66.**
3. Prior Hugh and convent appoint Henry de Hornecastre, terrier, and Mr. Adam de Derlington as proctors. (18 May 1269).

*Folio 21 recto.*

1. Prior Hugh and convent appoint John de Heyngtona, monk, and Mr. Adam de Derlington as proctors. [1258-73].
2. **116.** (1262).
3. **175.** [c. 1263-6].
4. **115.** (1262/3).

*Folio 21 verso.*

1. **144.** [1265].
2. (cf. *M*, *mem.* 3 *recto* (4) ) **146.** [1263].
3. (also *M*, *mem.* 4 *recto* (17) ) **71.** [? 1265].
4. (also *M*, *mem.* 4 *recto* (19) ) **134.** (1265).

*Folio 22 recto.*

1. (also *M*, *mem.* 4 *recto* (18) ) **72.** [? 1265-73].
2. (also *M*, *mem.* 4 *recto* (10) ) **89.** [1258-65].
3. (also *M*, *mem.* 4 *recto* (12) ) **179.**
4. **114.** [? 1273].
5. **110.** [? 1273].

*Folio 22 verso.*

1. **113.** [? 1273].
2. Financial agreement between G., hostiller, and W.
3. Financial agreement between H. et W.
4. Financial agreement between Roger Bertram and R. le Chanter. [1244-58].

*Folio 23 recto.*

1. Letter of warranty.
2. Form for a loan.
3. Forms for granting indulgence.
4. **11.** [1244-58].
5. (cf. *M*, *mem.* 5 *recto* (8) ) **27.** [1244-58].
6. Form for quit-claim.

*Folio 23 verso.*

1. (also *M*, *mem.* 6 *dorse* (5) ) **48.** (1263).
2. (also *M*, *mem.* 5 *recto* (1) ) **127.** [1264/5].
3. (also *M*, *mem.* 5 *recto* (2) ) **128.** [1264/5].
4. **70.** [c. 1263-5].
5. (cf. *M*, *mem.* 4 *recto* (8) ) **141.** (1263).
6. (cf. *M*, *mem.* 4 *recto* (9) ) **142.** (1263).
7. (also *M*, *mem.* 4 *recto* (13) ) **75.** [ante 1267].

*Folio 24 recto.*

1. (also *M*, *mem.* 4 *recto* (14) ) **78.** [ante 1267]
2. (also *M*, *mem.* 5 *dorse* (3) ) **92.** [? 1261/2].
3. **108.** [ante 1278].

*Folio 24 verso.*

1. (also *M*, *mem.* 2 *dorse* (2) ) **178**. [1258-73].
2. Dispensation of Pope Innocent [IV] for [Aymer de Valence] elect of Winchester, to hold benefices held at the time of his election. [1251].
3. Forms.

*Folio 25 recto.*

1. **119**. (1264/5).
2. **177**. (1265).
3. **177**. (1266).
4. **148**. (1263).
5. **149**. (1263).
6. **84**. [1262-5].
7. (also *M*, *mem.* 4 *recto* (5) ) **77**. [1265].
8. (also *M*, *mem.* 4 *recto* (2) ) **102**. [? 1267].
9. (cf. *M*, *mem.* 4 *recto* (4) and *L*, *mem.* 2 *recto* (6) ) **103**. [1251-66]

*Folio 25 verso.*

1. (also *M*, *mem.* 2 *dorse* (3) ) **12**. [1258-73].
2. (also *M*, *mem.* 4 *recto* (1) ) **100**. [c. 1268-73].
3. **17**. [1262].
4. (also *M*, *mem.* 6 *dorse* (6) ) **181**. (1264).

*Folio 26 recto.*

1. (also *M*, *mem.* 5 *recto* (9) ) **155**. [1258-73].
2. **118**. [1255-71].
3. **119**.
4. (also *M*, *mem.* 3 *recto* (10) ) **112**. [post 1247].
5. Prior Hugh appoints the monk William de Massam, and Mr. Adam de Derlington as his proctors. [1258-73].
6. **37**. [1258-c. 65].

*Folio 26 verso.*

1. **105**. (1273).

## III. D. AND C. MUNIMENTS, Locellus iii, 40.

*Membrane 1 recto.*

1. H. de B. informs John [le Romeyn], archbishop of York, that he has been unable to accede to the petition presented by Mr. Thomas de Normanton, the proctor of Durham convent, that the sentences incurred in the quarrel between the monastery and the archbishop should be revoked, and gives reasons. [c. 1286].
2. Quitclaim for debts and pensions to the executors of a prebendary (? of Howden).
3. Form for a letter of thanks.

4. **167.** [1286/7].
5. Form for a letter of credence.
6. *John* [le Romeyn, archbishop of York], greets the convent through the monk Ambrose (? de Banburgh), and empowers his seneschal to negotiate with the convent following an event at Ripon. [1285-96; ? 1285-6].
7. King Edward [I] laments the quarrel between the convent and the archbishop of York; complains that the convent did not meet his counsellors, William de Hothum, provincial prior of the Dominicans, and Mr. Bonectus de N. at Beverley, as required; informs it that a plan of peace was arranged in its absence with the archbishop in the presence of the bishop of Durham; and requests it to meet *John* de Vescy and the same Mr. Bonectus who will expound the plan, to which, he hopes, the convent will adhere. [*ante* 1286].
8. **166.** [? 1289/90].
9. **160.** [1286-8].
10. **8.** [*ante* 1279].
11. **14.**
12. **109.** [1282-93; ? 1286].
13. **152.** [? 1286].
14. **80.** [1280-90].
15. *William* de la Corner, [iur. can. prof., archdeacon of Northumberland], and papalchaplain, asks *Walter* [Wickwane] archbishop of York, to postpone his visit of the convent [in 1281], so that it can consult its absent bishop.
16. **101.** [1258-73; 1286-90].
17. **161.** [1286-8].
18. **162.** [1286-8].
19. **54.** [? c. 1286].
20. **53.** [c. 1286].
21. **82.** [1285-90].
22. **163.** [1286].
23. **69.**
24. Form of authorization for proctors to raise a loan at Rome or elsewhere.
25. **81.** [1280-90].
26. **68.** [1286-0].
27. Miscellaneous rhetorical forms.
28. [The bishop of Durham] in accordance with the terms of a settlement of the quarrel between the convent and the archbishop of York requests his correspondent to revoke all the sentences that he has laid. [c. 1286].

*Membrane 1 dorse.*

1. *N., venerabilis patris domini N, iudex principalis*, by apostolic authority revokes and annuls all sentences &c. laid by the



- convent of Durham and *Walter* and *John*, archbishops of York, during their quarrel. [c. 1286].
2. **83.** [1273-85; 1290-1300].
  3. Prior Richard [de Claxton] and the convent appoint proctors to negotiate for a settlement of their quarrel with *John* [le Romeyn], archbishop of York. [1285].
  4. **154.** [1258-73; 1286-90].
  5. Rhetorical form.
  6. Form for a proxy.
  7. **1.** [? 1290].
  8. **2.** [1290].
  9. **3.** [? 1290].
  10. Rhetorical form.
  11. **164.** [?c. 1289].
  12. **24.** [1286].
  13. [The bishop of Durham] informs the convent that he has asked *John* [le Romeyn], archbishop of York, to suspend action against it until he (the bishop) can have a personal talk with the prior, and so orders the prior likewise to suspend operations. [1285-6].
  14. [The prior] in reply rejoices in the safe return of [the bishop] from an arduous legation, thanks him for his mediation, and agrees to his proposals. [1285-6].
  15. [The prior] in a further reply regrets that the convent has been unable to suspend action, for it has been compelled to resist a hostile move. [1285-6].
  16. Request for the ordination of Mr. T. de N., rector of C., yet in deacon's orders.
  17. Request for aid because of the building of a palace.
  18. **63.** [1291; 1293].
  19. **64.** [1291; 1293].
  20. **65.** [? 1291; 1293].
  21. Form for an apology.
  22. **85.** [1280-3].
  23. **86.** [? 1283-4].
  24. **87.** [1283-4].
  25. **73.**

*Membrane 2 recto.*

1. **157.** [? 1273-85].
2. *Edward* [I], king of England, protests to Pope *Nicholas* [IV] about papal collations in the dioceses of Lincoln and York. (*Calendared Cal. Close, 1288-1296*, p. 134; printed by Prynne, *Exact chronolog. vindication*, etc., iii, 417).
3. Poems.
  - (a) Veritas, equitas, largitas corrui;

vitrutis gaudent precio.

(b) Avaricia querit spolia, quia propria facit communia

Amicitie sub effigie, nequicie structura.

(c) Iam prelati sunt Pilati

Mentis in minores.

(d) Canes impudicie avidi muti;

Solent esse tuti.

(e) Omnis status immutatus

Fortune minoris.

(f) Vota plura, preces, thura,

Per hos ammoueri.

4. **182.** [1291/2].

5. (also *M, mem. 4 recto (3)*) Letters dimissory for a clerk.

6. (also *M, mem. 4 recto (4)* and *S, fo. 25 (9)*) **103.** [1251-66].

7. (also *M, mem. 1 recto (16)*) Form for acknowledgement of a loan. [? 1260].

8. (also *M, mem. 4 dorse (2)*) **32.**

9. (also *M, mem. 2 dorse (1)*) Plea for the reception of a fugitive monk.

10. (also *M, mem. 3 recto (12)* and *S, fo. 18v. (2)*) **140.** [1267].

11. (also *M, mem. 8 dorse (5)*) Rhetorical form.

12. (also *M, mem. 8 dorse (6)*) Rhetorical form.

13. (also *M, mem. 8 dorse (7)*) Form for petition for counsel.

14. (also *M, mem. 8 dorse (8)*) Form for letter of credence for nuncio.

15. (also *M, mem. 8 dorse (10)*) Form for a petition for help for the convent's nuncios at the royal court.

16. (also *M, mem. 8 dorse (11)*) Rhetorical form.

17. (also *M, mem. 8 dorse (13)*) Form for letter of reproach.

18. (also *M, mem. 3 recto (1)*) **43.** [? 1259-60].

19. **29.** [1273-85; 1290-1300].

*Membrane 2 dorse.*

1. **88.** [1279-85; 1290-2].

2. Rhetorical forms.

3. Rhetorical form.

4. **25.**

5. Rhetorical forms, including **26** and some excerpts from John of Salisbury.

6. Rhetorical form.

7. Rhetorical forms.

8. Rhetorical forms.

9. Rhetorical form.

10. *Florilegium* of Becket correspondence; (a) Stultum est (*Materials for the history of Archbishop Thomas Becket*, vi, 73); (b) Utinam immundam (*Materials*, *ibid.*); (c) Impium est (*Materials*, vi, 75); (d) Taciturnitas nutrit assensum (*Materials*, *ibid.*); (e) Quante compassionis; (f) Licet faciem vestram (MS. St. John's College, Oxford, 126, fo. 80 (9)); (g) Magna pars; (h) Humanitas vestra (MS. 126, fo. 80 (10)); (i) Ut honestas (*Materials*, v, 448); (j) Quod dilectioni (*Materials*, vi, 115); (k) Ex assuetudine (*loc. cit.*); (kk) Profecto rerum dispositio (*Materials*, vi, 25); (l) Unde presumcio videtur; (m) Confidencia securas (*Materials*, vi, 109); (n) Chaos quod inter nos (John of Salisbury, *Epp.*, in Migne, *P. L.*, col. 251); (o) Sepe nobis a pluribus; (p) Ne dissimulacio (*Materials*, v, 302); (q) Dyurnitas silencii mei (*Materials*, vi, 90); (r) Ut ammoneat habundancius; (s) Circumspeccionis vestre (*Materials*, vi, 29); (t) Et me liberalitati vestre; (u) Malo is esse in quo (*Materials*, v, 499); (v) Amicicie racio (MS, 126, fo. 81 (19)); (w) Ea que nobis litteratorie; (x) Quibus in brevi Christus (*Materials*, v, 376); (y) Instancia portitoris (John of Salisbury, *Epp.*, col. 253); (z) Licet per varios temporum discursus.
11. **120.**
12. Rhetorical form.
13. Form for a petition for help.
14. **165.** [1289/90].
15. ? cover to no. 14.
16. 'Illustrissimorum dominorum nostrorum regum Anglie'. Edmund, son of the king, William de Valence, Edmund, earl of Cornwall, Gilbert, earl of Gloucester, and the other magnates of the kingdom of England protest to Pope Nicholas about foreign clerks appointed to English benefices.
17. Letter of recommendation for William de Stanford, who is with the correspondent at Newcastle.

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